BULKY DOCUMENTS

(exceeds 300 pages)

Proceeding/Serial No: 91/6/8/9

Filed: 3 - 19 - 97

Title: Opposer's Notice of filing

of Testimony

Part \triangle of \triangle

| 1 | company that makes that"? Bracket answer. |
|----|---|
| 2 | A Right. |
| 3 | Q And as you testified previously, the |
| 4 | interviewer had the responsibility of taking what had |
| 5 | been given in response to the first question and |
| 6. | inserting in each of those three bracketed places the |
| 7 | name of what had been identified; is that right? |
| 8 | A Yeah, what she should of said and that she |
| 9 | said that sound comes from a heart monitor. Are you |
| 10 | thinking of one company that makes that heart monitor |
| 11 | or more than one company that makes that heart |
| 12 | monitor. She did it correctly and most of the |
| 13 | interviews look like they were done correctly. |
| 14 | Q And if the respondent had already identified |
| 15 | a company in response to the first question, the |
| 16 | instructions told the interviewer not to ask the |
| 17 | second question; is that correct? |
| 18 | A The respondent identified a company or |
| 19 | companies. If it doesn't mention any specific |
| 20 | company, they were to ask. And if it mentions a |
| 21 | specific company, they weren't. And some |
| 22 | interviewers asked anyway. |
| 23 | Q Now, the first question would be asked and |
| 24 | the respondents would say something which the |

| 1 | interviewer would write down and there's an |
|----|---|
| 2 | instruction at the top of the box that says: Probe |
| 3 | once with: Is there anything else? Do you see that? |
| 4 | A Yes, sir. |
| 5 | Q And what was the purpose of that probe? |
| 6 | A To get complete answers when you're asking |
| 7 | open questions. People sometimes will give you one |
| 8 | word answers when they really have much more in mind. |
| 9 | And it's just a matter of in this case, we think it's |
| 10 | good technique. We don't always do it because we |
| 11 | don't always think it's necessary or useful. |
| 12 | Q And there is no probe follow-up for Question |
| 13 | Number 2; is that right? |
| 14 | A No. Because it's a yes/no kind of question. |
| 15 | What else could there be? I mean, it's a kind of |
| 16 | multiple choice question and multiple choice |
| 17 | questions we don't often probe or often don't |
| 18 | probe, let me say it correctly. |
| 19 | Q Well |
| 20 | A We rarely would probe in a multiple question. |
| 21 | Q It's the case, isn't it, that the majority of |
| 22 | people did not majority of respondents did not |
| 23 | answer this question with "one company" or "more than |
| 24 | one company"? |

| 1 | A Many of them answered with particular company |
|-----|--|
| 2 | names. |
| 3 | Q Right. |
| 4 | A That's true. |
| 5 | Q And if somebody answered with a single |
| 6 | company name, why would the interviewer not be asked |
| 7 | to probe for anything else? |
| 8 | A I don't know how to answer that question. |
| 9 . | The answer is in our judgment that was the answer to |
| 10 | the question and that was it. It's not common to |
| 11 | probe such questions. That doesn't mean we should |
| 12 | never do it. My guess is it never even occurred to |
| 13 | us to do that. |
| 14 | Q And no further questions were asked beyond |
| 15 | the two that are indicated here; is that correct? |
| 16 | A Well, what's your job title and your |
| 17 | position. And the bottom of that page with |
| 18 | Q Right. |
| 19 | A 799 you'll see that after all four sounds |
| 20 | they were asked their job title and their position. |
| 21 | Q But no further questions with respect to the |
| 22 | chirp sound; is that |
| 23 | A That's correct. |
| 24 | O And you did not attempt to gauge the primary |

| 1 | significance of the chirp sound in the mind of users |
|----|---|
| 2 | by asking a follow-up question as to the relative |
| 3 | purpose of the chirp sound; is that correct? |
| 4 | MR. GABRIELIDES: Objection to the form. |
| 5 | THE WITNESS: I think you have two different |
| .6 | ideas in that question. But we ask only this. This |
| 7 | is what we asked. You can characterize it whatever |
| 8 | way you please. That's your job. I'm not arguing |
| 9 | that. We asked these two questions. It speaks for |
| 10 | itself. |
| 11 | BY MR. STEWART: |
| 12 | Q Now, going back to the selection of the |
| 13 | sample I'm sorry the selection of the universe, |
| 14 | you did not seek to interview purchasers or potential |
| 15 | purchasers of the Motorola two-way radios that are |
| 16 | the subject of this proceeding, correct? |
| 17 | MR. GABRIELIDES: Object to the form. |
| 18 | THE WITNESS: I don't understand that question. |
| 19 | We think these people are potential purchasers or at |
| 20 | least purchase influentials, which are the same thing |
| 21 | in our mind; people who influence the purchasers. |
| 22 | BY MR. STEWART: |
| 23 | Q But you would acknowledge that there are |
| 24 | people who actually make the purchases of two-way |

| 1 | radios for EMT and fire departments and police |
|------|---|
| 2 | departments? |
| 3 | A Yeah, but they may well be people who are |
| 4 | simply told what to do. Go and buy me 16 Motorola |
| 5 | 7.438s. Our understanding of the law is what matters |
| 6 | is purchase influentials in some sense who may be the |
| 7 | purchaser. |
| 8 | But if I send my wife to the store to buy |
| 9 | blades for my razor and I tell her exactly what blade |
| 10 | I want, she buys it, but I'm the one controlling it. |
| 11 | Q You didn't do any screening or any |
| 12 | questioning of any of these respondents to determine |
| 13 | the extent to which they had influence over purchase |
| 14 | of Motorola products? |
| 15 | A It's our belief that anybody working in a |
| 16 | field like this has some purchase influence because |
| 17 . | if they don't like it, they're going to let their |
| 18 | supervision know. It's a single decision made for a |
| 19 | whole fire department, so it's no one person has |
| 20 | complete control. On the other hand if you're trying |
| 21 | to understand acquired distinctiveness as opposed to |
| 22 | confusion, users become more important in any case |
| 23 | than nurchaeo influentiale |

But I'd like --

24

| 1 | A I think they all have some influence on it |
|----|--|
| 2 | and that's all that's required. It doesn't have to |
| 3 | be the ultimate influence or the most important |
| 4 | influence. |
| 5 | Q I'd like to have the answer to my specific |
| 6. | question. |
| 7 | A I'm sorry. I thought I was. |
| 8 | MR. STEWART: That's all right. Let me have it |
| 9 | read back. |
| 10 | (Record read.) |
| 11 | THE WITNESS: I'm sorry. I didn't answer the |
| 12 | question. |
| 13 | No, I didn't screen anything. The interview, |
| 14 | everything that happened you see so you know exactly |
| 15 | what I did. |
| 16 | BY MR. STEWART: |
| 17 | Q And further, just to be clear, you did not |
| 18 | ask any questions that would enable you to determine |
| 19 | whether any of the respondents actually was engaged |
| 20 | in purchasing equipment? |
| 21 | A If you mean by engaged in, meaning the guy |
| 22 | that makes the purchase order, no. If you mean, will |
| 23 | they have an influence on that purchasing and |
| 24 | therefore they're engaged in that sense, the answer |

| 1 | is I think that they are. |
|-----|---|
| 2 . | Q But you didn't |
| 3 | A I didn't ask any questions that would |
| 4 | differentiate between those two situations. |
| 5 | Q You testified in your prior deposition that |
| 6 | you looked at product labeling and package; is that |
| 7 | correct? |
| 8 . | A Looked at, yeah, sure. |
| 9 | Q And that includes the Motorola two-way radios |
| 10 | that are the subject |
| 11 | A I believe so. I saw pictures of them. |
| 12 | Q And you also testified that you looked at |
| 13 | Motorola's website; is that correct? |
| 14 | A Yes, without question. |
| 15 | Q And in doing so did you see pictures of the |
| 16 | Motorola two-way radios? |
| 17 | A Yes, sir, among other things. |
| 18 | Q And the Motorola trademark are prominently |
| 19 | featured on the two-way radios; is that correct? |
| 20 | A Yeah. Depends on how you define prominently, |
| 21 | but I would agree with that. |
| 22 | Q So any user of a Motorola two-way radio would |
| 23 | know Motorola by name; isn't that right? |
| 2.4 | MR. GABRIELIDES: Objection to the form. |

| _ | |
|------|---|
| 1. | THE WITNESS: No; some would, most would, but not |
| 2 | any. People are infinitely variable. But users have |
| 3 | a reason to know it, if that's it's certainly more |
| 4 | than conceivable that they would know the name. |
| 5 | BY MR. STEWART: |
| 6 | Q And this is a situation in which a typical |
| 7 | buyer would know the corporate identity of the source |
| 8 | of these two-way radios; is that correct? |
| . 9 | MR. GABRIELIDES: Object to the form. |
| 10 | THE WITNESS: Might well. Same hedge that I made |
| 1 | before, but basically I agree with you. |
| 12 | MR. STEWART: Could I have a brief break? |
| 13 | (A recess was taken.) |
| 1 | I have no further questions at this time. |
| 15 | THE WITNESS: That's it? |
| 16 | MR. GABRIELIDES: Let me take a short break. |
| 1 | (A recess was taken.) |
| 18 | I do have a couple of questions. We'll get |
| 19 | you out of here, Mike, I promise. |
| 20 | REDIRECT EXAMINATION |
| 23 | BY MR. GABRIELIDES: |
| . 22 | Q Do you remember when Mr. Stewart asked you if |
| 23 | you had seen or you had viewed the two-way radios on |
| 24 | Motorola's site during the qualitative portion of |

| 1 | your work? |
|-----|--|
| 2 | A I don't remember where we viewed various |
| 3 | things. I did see a two-way radio. I did look at |
| 4 | the website. Assuming that they show pictures on the |
| 5 | website, I saw it. If they didn't, I saw it |
| 6 | someplace else. |
| 7 | Q Do you also recall testifying that the |
| 8 | respondents were not shown two-way radios during the |
| 9 | questioning portion? |
| 10 | A I don't remember if he said anything, but I |
| 11 | know that they weren't. They were just shown a disc. |
| 12 | Q Let me ask it then |
| 13 | A I don't remember. |
| 14 | Q Let me ask it in a direct way: Were the |
| 15 | respondents shown the two-way radios while they were |
| 16 | being questioned about the chirp? |
| 17 | A No, they were not shown anything. The |
| 18 | interviewer was sent a disc. That's all the |
| 19 | interviewer had. The disc doesn't have anything on |
| 20 | it. I don't know what player the interviewer used, |
| 21 | but they're using a disc player, not a two-way radio |
| 22 | Q And is there a reason that two-way radios |
| 23 | were not shown to the respondents when they were |
| 2.4 | asked quastions about the chirm? |

| 1 | A Sure. That would be incredibly leading as |
|-----|---|
| 2 | you're telling them what the product is that they're |
| 3 | interested in. The interviewer didn't even know what |
| 4 | the product was. It's double blind. |
| 5 | You did ask the question about double blind. |
| 6 | The interviewer didn't know what the product was that |
| 7 | we were interested in. She had four sounds. That's |
| 8 | all she knew. She didn't know what the sounds were. |
| 9 | She knew she had four sounds. And I say "she" |
| 10 | because most of the interviewers are shes. And the |
| 11 | respondent heard and saw nothing except those four |
| 12. | sounds from the interviewer. |
| 13 | Now, they're in an office. There might be |
| 14 | other things present, but I have no way of knowing |
| 15 | that. |
| 16 | Q Now, when you said it would have been |
| 17 | leading, do you mean it would have been leading in |
| 18 | response to the question of what you associated with |
| 19 | the sound? |
| 20 | A Yes. |
| 21 | Q Would it also have been leading with respect |
| 22 | to the question of, is this product put out by one |
| 23 | company or more than one company? |
| 24 | A Could be. |

| 1 | Q In what way? |
|----|---|
| 2 | A Well, if you saw it from a particular |
| 3 | company, you might decide there was one company. But |
| 4 | they weren't they were supposedly interviewed in |
| 5 | private. That's the rule without question, and |
| 6. | that's an instruction. |
| 7 | And they heard the four sounds and they were |
| 8 | asked the questions, were shown nothing else by us. |
| 9 | And the interviewer had no idea I mean, for all |
| 10 | the interviewer knew the question of interest was |
| 11 | about the doorbell. They didn't know what was |
| 12 | interested. |
| 13 | MR. GABRIELIDES: I have no further questions. |
| 14 | MR. STEWART: I have a few follow-up questions. |
| 15 | RECROSS EXAMINATION |
| 16 | BY MR. STEWART: |
| 17 | Q Do you know whether the respondents who were |
| 18 | interviewed for the survey had day-to-day experience |
| 19 | in using Motorola two-way radios? |
| 20 | A I don't know, but I would not be at all |
| 21 | surprised if many of them did. |
| 22 | Q And you testified in your prior deposition |
| 23 | that if you had limited the survey to people who used |
| 24 | the Motorola two-way radio every day, you would have |

| 1 | gotten still higher numbers, do you recall? |
|-----|--|
| 2 | A I would presume I said I would still get |
| 3 | higher numbers, but it's clearly not a proper way to |
| 4 | do it because once again I'm telling everyone |
| 5 . | concerned what I'm interested in. |
| 6 | Q And you did not do any analysis or screening |
| 7 | to determine which, if any, of your respondents used |
| 8 | Motorola two-way radios on a day-to-day basis? |
| 9 | A No. We did a random sample so we should get |
| 10 | roughly the same percentage using it that use it in |
| 11 | the real world. |
| 12 | MR. GABRIELIDES: Could I get that answer read |
| 13 | back, please. |
| 14 | (Record read.) |
| 15 | MR. STEWART: I have no further question. |
| 16 | MR. GABRIELIDES: I have no further questions as |
| 17 | well. |
| 18 | |
| 19 | |
| 20 | |
| 21 | ÷ |
| 22 | |
| 23 | |
| 0.4 | |

| 1 | STATE OF ILLINOIS) |
|----|--|
| |) ss: |
| 2 | COUNTY OF C O O K) |
| 3 | |
| 4 | The within and foregoing deposition of the |
| 5 | aforementioned witness was taken before HELEN Y. OH, |
| 6 | C.S.R., and Notary Public, at the place, date and |
| 7 | time aforementioned. |
| 8 | There were present during the taking of the |
| 9 | deposition the previously named counsel. |
| 10 | The said witness was first duly sworn and was |
| 11 | then examined upon oral interrogatories; the |
| 12 | questions and answers were taken down in shorthand by |
| 13 | the undersigned, acting as stenographer and Notary Public; |
| 14 | and the within and foregoing is a true, accurate and |
| 15 | complete record of all of the questions asked of and |
| 16 | answers made by the aforementioned witness, at the |
| 17 | time and place hereinabove referred to. |
| 18 | The signature of the witness was not waived, |
| 19 | and the deposition was submitted, pursuant to |
| 20 | Rules 30 (e) and 32 (d) of the Rules of Civil |
| 21 | Procedure for the United States District Court, to |
| 22 | the deponent per copy of the attached letter. |
| 23 | The undersigned is not interested in the within |
| 24 | case, nor of kin or counsel to any of the parties. |

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 5

| 1 | | Wit | tness | my o | ffici | ial s | ignat | ure a | ind s | eal a | s |
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Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 5

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|----------------|----------------------------|---------------------------------|------------|
| 2 | UNITED STATES PA | TENT AND TRADEMARK OFFICE | |
| | TRADEMARK TR | IAL AND APPEAL BOARD | |
| 3 | | | |
| 4 | NEXTEL COMMUNICATIONS, INC | .,) | |
| | Opposer, |) Opp. No.: 91/161,817 | |
| 5 | |) Appl. No.: 78/235,618 | |
| | -vs- |) Mark: Sensory Mark | 2 |
| 6 | |) (911 Hz Tone | ;) |
| | MOTOROLA, INC., |) | |
| 7 | Applicant. |) | |
| 8 | I, MICHAEL RAP | PEPORT, being first duly sworn, | |
| 9 | on oath say that I am | the deponent in the aforesaid | |
| 10 | deposition taken on 19 | th day of October, 2006; that I | - · - |
| 11 | have read the foregoin | g transcript of my deposition, | • |
| 12 | consisting of pages 1 | through 68 inclusive, and affix | ζ. |
| 13 | my signature to same. | | |
| 14 | •. • | | |
| . 15 | | | |
| • | | | .• |
| • | <u> </u> | MICHAEL RAPPEPORT | . • |
| 16 | _ | MICHAEL RAPPEPORT | . • |
| 16 17 | Subscribed and sworn t | | .• |
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Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 5

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| 1 CASE: | NEXTÉL CO | MMUNICATIONS -vs | - MOTOROTA |
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Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 5

| 1 | LEGALINK - CHICAGO |
|------------|---|
| | Certified Shorthand Reporters |
| 2 | 230 West Monroe Street - Suite 1500 |
| • | Chicago, Illinois 60606 |
| 3 | |
| | November 1, 2006 |
| 4 | |
| • | Brinks Hofer Gilson & Lione |
| 5 | MR. JOHN GABRIELIDES |
| | 455 North Cityfront Plaza |
| 6 | Suite 3600 |
| | Chicago, Illinois 60611 |
| 7 | |
| | Re: NEXTEL -vs- MOTOROLA |
| 8 | Dep of: MICHAEL RAPPEPORT |
| 9 | Dear Sir: |
| 10 | Enclosed is your copy of the deposition |
| | transcript, along with the original signature page |
| 11 | and errata sheet. |
| 12 | Pursuant to the rules of court in this matter, |
| 1.0 | please have the deponent read the transcript and sign |
| 13 | the signature page before a notary public. |
| 14 | If any corrections/changes are to be made, please |
| 15 | TYPE or PRINT them on the attached errata sheet, |
| 13 | giving the page and line number, desired correction/change, and reason. |
| 16 | correction/change, and reason. |
| | Upon failure to comply, we shall forward an |
| 17 | appropriate affidavit of noncompliance to all counsel |
| . , | of record. |
| 18 | 01 100014. |
| 10 | Sincerely yours, |
| 19 | Simostory fours, |
| .23 | |
| 20 | LEGALINK - CHICAGO |
| 21 | cc: Mr. John Stewart, Jr. |
| 22 | |
| _ | но 1401-143583 |
| 23 | |
| 24 | Legalink, a Merrill Communications Company |
| | 312.263.3524 |

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 5

JACOBY DEPOSITION EXHIBIT 6

Nextel Communications v. Motorola, Inc.,

Opp. No.: 91/161,817

App. No.: 78/235,618

Mark: Sensory Mark (911 Hz tone)

| 1 | events, things like that where Motorola will bring in |
|----|---|
| 2. | a system and actually have operational radios that |
| 3 | the customer can experience. |
| | |

4 And one of the premises of Motorola's 5 offerings -- and this is by name and reputation, is 6 that it's reliable communications, always-there 7 communications, instant communications, and the tone 8 is there to indicate that -- look, you press that 9 button and in your hands you're having a device that 10 is giving you immediate communication capability. So 11 it's kind of a tie-in.

It alerts the customers, a, that this is occurring, but it also ties into I know that every

14 time that I hit that button I will hear that tone

15 because I'm carrying a Motorola product. This is the

16 same tone and experience customers have had since the

17 mid, early 80s. It's the same experience and people

18 know that. They recognize that.

Q What has Motorola done to reinforce that tie

in that you described?

A Well, one of the ways is, a, it's the tone

22 has not been changed. It's a consistent tone. It's

23 always been that same tone. Secondly, Motorola goes

24 through a large effort to ensure that the Motorola

torola 61,817 mony c. 6

| 1 | branding is always visible from almost every single |
|----|---|
| 2 | angle that you can look at our products. |
| 3 | Customers have actually mentioned that |
| 4 | perhaps we have gone overboard with the labelings and |
| 5 | the visibility of the Motorola bat wing icon or the |
| 6 | Motorola label. So it's always visible. Whenever |
| 7 | you're using this product, when you hear that tone, |
| 8 | you are seeing Motorola. |
| 9 | Q Has Motorola done anything else? |
| 10 | A Beyond going through and advertising with the |
| 11 | direct touching and interaction with customers, they |
| 12 | have really focused on keeping things consistent, |
| 13 | allowing customers to experience it, and just always |
| 14 | backing up the tone and the reputation with always |
| 15 | having products that met this high level of |
| 16 | operational benchmark, if you would. |
| 17 | Q You mentioned direct interaction. Is the |
| 18 | tone a part of that direct interaction? |
| 19 | A The tone is a part of the interaction |
| 20 | experience. When a customer holds the radio in their |
| 21 | hand, if it's brought to them by a Motorola employee, |
| 22 | or at a Motorola trade show or whatever, they |
| 23 | experience that tone. |
| 24 | O What do you mean by they experience that |

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 6

| 1 | tone? |
|----|--|
| 2 | A The idea of the product is voice first. You |
| 3 | must always be able to communicate. You put the |
| 4 | radio in the customers hands. When they press that |
| 5 | button they hear that tone. They get that sense of |
| 6 | the capabilities, but also the reliability of a |
| 7 | product as they they could push that button as |
| 8 | many times as they want. They always know they are |
| 9 | going to hear that sound. |
| 10 | That is the feeling that they are going to |
| 11 | get from holding a Motorola product. They know they |
| 12 | are always going to hear that sound. They know |
| 13 | they're always going to be able to get through. It's |
| 14 | one of our experiential advertising methods. |
| 15 | Highlight the method and the capabilities of this |
| 16 | product. And that's one of those things where when |
| 17 | they push it, they know everything is working right. |
| 18 | And it should be. |
| 19 | Q Who are the users of Motorola's two-way radio |
| 20 | products that emit the 911 Hz tone? |
| 21 | A They're varied. They vary from United States |
| 22 | Federal Governmental, Federal Law Enforcement |
| 23 | Agencies, state and local law agencies, emergency, |
| 24 | fire, EMS. |

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 6

1/12/2007 10:01 AM 20

| 1 | It also goes to the private sector, whether |
|----|---|
| 2 | it's private security, construction, event management |
| 3 | companies. Anybody who is requiring immediate and |
| 4 | reliable communication methods, the two-way radio |
| 5 | products are an appealing solution. |
| 6 | Q For what purposes do the two-way radio users |
| 7 | use the products? |
| 8 | A Immediate communication, consistent |
| 9 | communication, and in the public safety arena, a |
| 10 | guaranteed communication. That's our our 59 is |
| 11 | always available, always capable, always working type |
| 12 | of approach. |
| 13 | Q Typically what would these communications |
| 14 | involve? What sort of activities? |
| 15 | A It could involve anything from a police |
| 16 | officer being dispatched to an emergency. It could |
| 17 | involve firefighters working with EMS in a hospital |
| 18 | to get a victim from a car accident or a vehicle |
| 19 | extraction to the hospital for medical care. |
| 20 | And it can go as far as, you know, some of |
| 21 | the human tragedies that occurred with Katrina and |
| 22 | other hurricanes where you want people on the ground |
| 23 | who are trying to coordinate safety efforts for large |
| 24 | areas where traditional communication solutions are |

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 6

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JACOBY DEPOSITION EXHIBIT 7

Nextel Communications v. Motorola, Inc.,

Opp. No.: 91/161,817

App. No.: 78/235,618

Mark: Sensory Mark (911 Hz tone)

1-101

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

8 - 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

No But it sounds like A Mesat monitor That is in The Naspital

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

NO

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Line Fighter / Eur

IF FIRE/EMT, ASK:
Is your position...

2 volunteer?

verify that I conducted this interview on (date) 7 15 105 at (time) 11:00.

INTERVIEWER SIGNATURE:

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1-103

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

| TIATAR. Dr. | | | |
|----------------------|-------|-------|------|
| VOICE: Please | press | pause | now. |

2-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Sounds like the low bottery on my deliphone. It also sounds like the Wolkie when you key the mike. (O/c)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

IF FIRE/EMT, ASK:
Is your position...

1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Gerry Zablatsky verify that I conducted this interview on (date) 9 / 6 / 05 at (time) 3:35 PM

INTERVIEWER SIGNATURE: Levy Toll alole

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Opp. No. 91/161,817

1-103

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

3-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Alert tone on the Nextel phone.

OR family flequency radio.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola / Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Scry Zablasty
verify that I conducted this interview on (date) 9/7/105 at (time) 1:15 PU

INTERVIEWER SIGNATURE: Levy Jakon Subject to Protective Order in TTAB

Opp. No. 91/161,817

-104

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

3-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

It's a Motorola/Nextel that
I use in the Police are and at home, too. All of our arusers
are equipped with them. (Wo)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motoreland Landers

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title? .

Police Officer (

(Patrolman)

IF FIRE/EMT, ASK:
Is your position...

1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Gerry Zablataky

verify that I conducted this interview on (date) 9/7/05at (time) 11:30 AH

INTERVIEWER SIGNATURE: Lawy John Subject to Protective Order in TTAB
Opp. No. 91/161,817

4

1-105

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

ブーゴ

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Campus Police Officer

IF FIRE/EMT, ASK:
Is your position...

paid or

volunteer?

infidential - Attorneys' Eyes Only bject to Protective Order in TTA. Opp. No. 91/161,817

I (INTERVIEWER PRINT FULL NAME) Gerry Zablatsky
verify that I conducted this interview on (date) 9/6/05 at (time) 1:20 PM

INTERVIEWER SIGNATURE: Lerry Zahlatakey

4

-106

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND:#4

VOICE: Please press pause now.

6 - 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

It sounds like a smake defector whoes battery is running down And giving a tone.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

kidde, First Alert, could think of any others

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

CPR and FirstAid instructor, and an EMT

IF FIRE/EMT, ASK:
Is your position...

1 paid or
2 yolunteer?

I (INTERVIEWER PRINT FULL NAME) Brandon Stano

verify that I conducted this interview on (date) 9/7/5 at (time) 9:13

INTERVIEWER SIGNATURE:

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-103

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

8-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

A SCANNER AT A check out A/E. wo or A low BATTERY Signal on a cell phone

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

NO

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

IF FIRE/EMT. ASK:
Is your position...

1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Dolla Roomer

verify that I conducted this interview on (date) 9 1 P 105 at (time) : 30

INTERVIEWER SIGNATURE:

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801-

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

1-3

| INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else? Sounds like a low battery tone on a radio. Could be the beep (pause beep) when you key the mike on the walkie tackie (portable radio) |
|---|
| IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]? |
| |
| INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE |

Finally, what is your job title?

IF FIRE/EMT, ASK:
Is your position...

1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Gerry Zoblodsky
verify that I conducted this interview on (date) 9/7/05at (time) 1:45 PM
INTERVIEWER SIGNATURE: Your Zohlo Interview

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_ 4 _

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

--

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

It sounds like the new telephone radio that you have to press

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola - - We just started to use them at work: they are relatively now.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Opp. No. 91/161,817

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Gary Zablotsky
verify that I conducted this interview on (date) 9/6/05 at (time) 12:00 PM

INTERVIEWER SIGNATURE: Le Confidential - Attorneys' Eyes OnlySubject to Protective Order in TTAB

4

1-110

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

8 - 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

IT A HESAT WONTON at.

W

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

of the company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

EMT

IF FIRE/EMT, ASK:
Is your position...

paid or 2 volunteer?

| I (INTERVIEWER PRINT FULL N. | AME) 0/1/2/ | 00401 | • |
|--|-------------|---------|---|
| verify that I conducted this interview | | .] | Confidential - Attorneys' Eyes Only Subject to Protective Order in ITAE Opp. No. 91/161,817 |
| INTERVIEWER SIGNATURE: | Doll, Ro | 311 C-1 | 33/161,817 |
| | (| (| MOT 004835 |

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

8 - 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Sounds like a tone generated by some kind of electronic measuring device.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Not specifically No.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

EMT

Is your position...

1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Brandon Stano

verify that I conducted this interview on (date) 9/8/5 at (time) 3:17

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INTERVIEWER SIGNATURE:

1-112

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

2-3

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Beep from the Nextel phene of the function to alert the person you are alling. I use it for professional and personal use. (We)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

'INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Faramedia firefighter

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Gerry Zalatsly verify that I conducted this interview on (date) 9/6/05 at (time) 10:00. AM

INTERVIEWER SIGNATURE: Subject to Protective Order in TTAB

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-4-

1-113

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

3-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

a low battery alarm for Something like a Cell Phone of a chordless phone (a/e?) NE

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a LANSWER FROM A POWER.

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Security officer / EMT

IF FIRE/EMT, ASK:

Is your position...

2 volunteer?

I (INTERVIEWER PRINT FULL NAME)

Doug Mac Donald

verify that I conducted this interview on (date)

me) 4:00.

INTERVIEWER SIGNATURE:

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VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

like the recording sound when conversation being taped ex PSEG.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Like an old afair video game

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one

company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Atari

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

a snohe defecta -

Willingelse.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

NA

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Like an answeng machine. Afteryowplay messages

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8 – 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

A Answeng Machine

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

N/A

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4 - 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

It sounds to me lehe an electronic game - lehe the sonar sound from battleship.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Mattel

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8 - 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Dound efen seanner uter beston hold.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

NA

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

A Computer Keybond -

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

NIA

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8 - 5

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

a computer sound of some sort

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

you got me - NO.

2-210

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

1-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

A cell phone or walke talkée Nothugelse

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motornola

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

2-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

That's boost clip - on a cell phone

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nexter Wireless

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

2-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

A TWO WAY RADIO

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

His a phone with an intercem

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Panasnic telephone.

2-214

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

a fax machine beep.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

HP / Huland Pachand

215

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

2 – 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Sounds like a beeping maybe from ahospetal monutor.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

WA

2 -216

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

amountor keep - Like CPR mondor.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

a Mouse from græne boy.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Play station

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4 - 4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Beoping Ringtone-electronic. Sound

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE.

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VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4-984

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

That sounds to me lake I'm being put on Ald from phone Co.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

. . .

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2.

VOICE: Please press pause now.

8--4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

a busy dignal or a phone chil

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

WA

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

2-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

The Lungler sound of a Lunway Radio

NO

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

HIF - Nextel

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

2-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Walhie Talkie besper-

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nexte

J-523

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

2 - 2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

A walk retalking on a off sound

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

2 ~ 2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

a cell phone chip when you do I way communation

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nexto

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

ユーユ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Woudso Tielephone

-Walkie Valhee

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Phone Beap - like The walkie talkie Aype.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one

company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

6-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

a Two way Radio or cell phone

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

clyon or Nextel

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

| VOICE: Please | press pause now. |
|----------------------|------------------|
|----------------------|------------------|

-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

2 way walking talker (A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Parole agent

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

Verify that I conducted this interview on (date) 9 6 10 at (time) 3 40 70.

INTERVIEWER SIGNATURE:

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Opp. No. 91/161.817

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

2 Way Cell Phone (A/E) Hothing Low battery on phone (A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Wotorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police Officer

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholips Ei

verify that I conducted this interview on (date) 09/03/05 at (time) 10:18. AM

INTERVIEWER SIGNATURE: Mayout Confidential - Attorneys' Eyes Only -

MOT 004963

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B-103

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

1-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Key tone (Ale) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police Officer

IF FIRE/EMT, ASK:

Is your position...

. 1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholipsti.
verify that I conducted this interview on (date) 09/02/05 at (time) /:30.

INTERVIEWER SIGNATURE: Mayaret M. Cholipsk.

MOT 004967

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Opp. No. 91/161,817

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Radio warning signal (AlE) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Alm. Police Officer

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholipski

verify that I conducted this interview on (date) 9 102 105 at (time) 3:25

INTERVIEWER SIGNATURE: Wargart M. Chalpsti

-4-

3-105

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

8 -1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

2 Way- Emergency radio (AlE) Hold button Sound (AlE) Northing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nothing

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Corrections Parole Agent

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) | DAWN HEadle | 4 |
|---|-------------|---|
| verify that I conducted this interview on (date | | |

INTERVIEWER SIGNATURE:

Jean m Hearday

MOT 004975

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VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

> Low battery Sound
> (A/E) Nothing (A/E) Microphone Key

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Firefighter /Paramedic

IF FIRE/EMT, ASK: Is your position... baid or volunteer?

RINT FULL NAME) Margaret M. Cholipski verify that I conducted this interview on (date) <u>af 103 105</u> at (time) 10:43. Am

INTERVIEWER SIGNATURE: Margaret M. Chalipski orneys' Eyes Only -

MOT 004979

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VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Radio Key tone (A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police Officer

IF FIRE/EMT, ASK:

Is your position...

- 1 paid or
- 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholipski verify that I conducted this interview on (date) 09/02/05 at (time) 1:15.

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Opp. No. 91/161,817

INTERVIEWER SIGNATURE: Margaret W. Cholipst.

-4-

3-108

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

2 way radio call button (A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Fireman Paramedic

IF FIRE/EMT, ASK:
Is your position...

1 baid or

1 paid or 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Dawn HEadley

verify that I conducted this interview on (date) $\frac{9}{1}$ $\frac{105}{5}$ at (time) $\frac{2}{3}$.

INTERVIEWER SIGNATURE:

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VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Office phone short ring (A/E)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

I can't remiber

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Firefighter / Pavamedic

IF FIRE/EMT. ASK: Is your position... (1) paid or 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Mangaret N

verify that I conducted this interview on (date) 09/02/05 at (time) /:50.

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Opp. No. 91/161,817

INTERVIEWER SIGNATURE: Margaret M. Cholopak.

4

3-110

· VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

7 – 9

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Don't Know

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Paramedic

IF FIRE/EMT, ASK:
Is your position...

1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholipski verify that I conducted this interview on (date) 09/02/05 at (time) 5:40.

INTERVIEWER SIGNATURE: Margaret M. Cholipski

MOT 004995

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VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Don't Know

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Paramedic / Firefighter

IF FIRE/EMT, ASK:

Is your position...

(1) paid or Paramedic 2) volunteer? Firefighter

Hargaret M. verify that I conducted this interview on (date) $\underline{09/02/05}$ at (time) $\underline{4}:25$

INTERVIEWER SIGNATURE:

MOT 004999

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3-113

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Don't Know

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Firefighter - Paramedic

IF FIRE/EMT, ASK: Is your position... (1) paid or volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholipsk, verify that I conducted this interview on (date) 9/2/05 at (time) 2:07.

Opp. No. 91/161,817

Margaret M. Cholipski

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Call hold button on multi-line phone (A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Bell Telephone

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholipsk, verify that I conducted this interview on (date) 09 102 105 at (time) 3:35

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INTERVIEWER SIGNATURE: Margaret M. Chalipsk

3-114

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Cursor ending for commercial (ALE) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of or company who makes that [ANSWER] or more than one company who makes that [ANSWEG.

IBM Fed Ex Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Firefighter - Paramedic

IF FIRE/EMT, ASK:

Is your position...

(1) paid or 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret W. Cholipski verify that I conducted this interview on (date) 9/01/05 at (time) 5:55.

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Opp. No. 91/161,817

INTERVIEWER SIGNATURE: Wayout M. Cholipse

4

3-115

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

8 - 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Auswering machine

(A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

None

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police Officer

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholipski verify that I conducted this interview on (date) 9/03/05 at (time) 10:08 AM

INTERVIEWER SIGNATURE:
Coulidential - Attorneys' Eyes Only -

Opp. No. 91/161,817

Vargaret M. Cholips

3-116

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

1-

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

2 Way Radio (A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER]?

Motorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Patrolman

IF FIRE/EMT, ASK:

Is your position...

- 1 paid or
- 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) DAWN MHEadly

verify that I conducted this interview on (date) $\frac{9}{17}$ $\frac{105}{05}$ at (time) $\frac{1}{12}$.

INTERVIEWER SIGNATURE:
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Opp. No. 91/161,817

3-(()·

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

プー3

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Direct Connect (A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Firefighter / Paramedic

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 yolunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret U. Cholipski verify that I conducted this interview on (date) 09/03/05 at (time) 10:32. Am

INTERVIEWER SIGNATURE: Margaret M. Cholypak
Confldential-Attorneys' Eyes Only.
Subject to Protective Order in TTAB
Opp. No. 91/161,817

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

3-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Direct connect abert tona or a low battery Motorola portable radio (ALE Nothing)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police commander

IF FIRE/EMT, ASK:

Is your position...

- 1 paid or
- 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret Mc Cholipski' verify that I conducted this interview on (date) 07/01/05 at (time) 6:55.

MOT 005027

INTERVIEWER SIGNATURE: Margart Mr. Cholyst.

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Opp. No. 91161.817

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything; you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

6-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Direct connect on cell phone (A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of the company who makes that [ANSWER] or more than one company who makes that [ANSWER]

Nextel Sprint Verizon

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police Officer

IF FIRE/EMT, ASK:
Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholipski

verify that I conducted this interview on (date) 09/02/05 at (time)

INTERVIEWER SIGNATURE: Margaret Mr Cholepsk.

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

ブーゴ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Direct Connect Feature (AlE) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Detective Corporal

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) DAWN HEadley

verify that I conducted this interview on (date) 9 / 7 /05 at (time) 1:30.

INTERVIEWER SIGNATURE:

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VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

2 -2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Alert Chirp on 2 way phone (A/E) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Firefighter /Paramedic

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Dawn HEadle of

verify that I conducted this interview on (date) 9 16 105 at (time) 7:10.

INTERVIEWER SIGNATURE:

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VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

2-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

2 Way Phone (AlE) Northing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Deputy Sheriff

IF FIRE/EMT, ASK:

Opp. No. 91/161,817

Is your position...

- 1 paid or
- 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Lown Arcalogy

verify that I conducted this interview on (date) 9/7/05at (time) 10: 20. 400

INTERVIEWER SIGNATURE: Morneys' Eyes OnlySubject to Protective Order in TIAB

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

3-

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

2 way radio (AlE) Exit out of menu on the radio (AlE) Nothing.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel Motorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Patrol Officer

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

Verify that I conducted this interview on (date) 9 1 7 105 at (time) 4 28.

INTERVIEWER SIGNATURE:

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VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

2 Way radio Keyer (A/E) Nothing Abert

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

IF FIRE/EMT, ASK: Is your position... 1) paid or 2 volunteer?

| I (<u>INTERVIEWER</u> PRINT FULL NAME) | Margaret 1 | 1. Choli | oski |
|---|------------|----------|------|
| verify that I conducted this interview on (da | | | |
| © / | 111 0. | < 1 | , |

INTERVIEWER SIGNATURE: Wargaret M. (holpste)
Confidential - Attorneys' Eves Only-

MOT 005051

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VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

| INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDEN |
|--|
| SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else? |
| Direct connect cell phone (A/E) Low |
| battery on police radio (A/E) Repeaters |
| for 2 way radio (AlE) Nothing |
| |

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one

company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) verify that I conducted this interview on (date) INTERVIEWER SIGNATURE:

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Opp. No. 91/161,817

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

1-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Call sound on phone (A/E) Nothing Direct Connect

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER]?

Motorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police Officer - Sgt.

IF FIRE/EMT, ASK:

Is your position...

- 1 paid or
- 2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) Margaret M. Cholipski |
|---|
| verify that I conducted this interview on (date) 09/03/05 at (time) 1 :00. Confidential - Attorneys' Eyes Only Subject to Protective Order in TTA: Opp. No. 91/161,817 |
| INTERVIEWER SIGNATURE: Margaret M. Cholipski MOT 005059 |

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

2 - 3

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Direct Connect (HE) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police Sgt.

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Margaret M- Cholipski
verify that I conducted this interview on (date) 09/02/05 at (time) 1:00 Confidential - Attorneys' Eyes OnlySubject to Protective Order in TTAB
Opp. No. 91/161,817
INTERVIEWER SIGNATURE: Margaret M. Cholipski MOT 005063

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

2-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

2 Way Radio when going on a dead battery (AlE) Nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nexte 1

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Police Chief

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) DAWN HEadley verify that I conducted this interview on (date) 9/7/85 at (time) 11:31.

INTERVIEWER SIGNATURE:

onitioential - Attorneys' Eyes Only whject to Protective Order in TTAB Opp. No. 91/161,817

Nextel v. Motorola Opp. No. 91/161,817 Nextel (Testimony Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

1-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

portable radio indicating either a dead bottery or below you key the mile it make that sound (che) no

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

ユーコ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

That sound like a refer plane (else) it like a hablic talkin - you can use it as either asphase or a walking talking -it coording to get ahalo of people

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER]?

Night now I'm yiest their Walter.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

1-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

I cessociate that with a Cell place, but that a close of an association as of

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

If it were a cell phase, motorola would be the princip company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

-2- - lagos

Nextel v. Motorola Opp. No. 91/161,817 Nextel Tespnion (Jacoby Ev. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

ユーネ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

The alert Botton on the Neftel (cle)

When you are going from phone to phone

Paging that the alert tone. I think we have

Neptel at work, But I'm not source

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A

SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one
company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

I social Neptel, a Comple of Componie Come

to mind - I remember some of the Commercial,

Neptel is the are that first come to mend

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimon Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

J-3

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

It pounds ble the Nortel Chirper (else) I thenh that when you've trying to get someone else! attention you chirp them -it like ringing them

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Neptel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

the flector goe around, it make that sound, (che) nothing else

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Sichhead - Martin - Reconsetters do a lot of military stuff.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

ે – ^૦

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Die head the soul but I don't know what it is (ch) no

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

7-9

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

don't know what that one is

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

I think it the prompt to leave a message on an answering machine (ale) nothing It sounds familiai for something also, Qui

not seen what

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

no specific Company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else? sound like a neftet-like when you push the walkie - talkie part of the nextel - you push it down hold it down, it mokes that noise then you speak, there will be I keep IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nettel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

2-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Chief sound from Nexlef

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nexal

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

IF FIRE/EMT, ASK:
Is your position...

Depaid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) LA DIE MI JUMES

verify that I conducted this interview on (date) 9 13 105 at (time) /:/0.

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Don't Kniw (NE)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title? dieu fant

IF FIRE/EMT, ASK: Is your position... 1) paid or 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) LANGERA JUNEY

verify that I conducted this interview on (date) 9 12 125

INTERVIEWER SIGNATURE: C Confidential - Attorneys' Eyes Only -Subject to Protective Order in TTAB Opp. No. 91/161,817

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

2-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Nestel Chirp Of (NC)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title? EM7

IF FIRE/EMT, ASK:

Is your position...

paid or

2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) LADGERA JONES | | |
|---|----------|---|
| verify that I conducted this interview on date) 0916 10 at (time) 2 | æ | Confidential - Attorneys' Eyes Only Subject to Protective Order in TFAE Opp. No. 91/161,817 |
| INTERVIEWER SIGNATURE YOU Pen Pun | <u>:</u> | MOT 005119 |

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

| VOICE: Please press pause now. | ユー ユ |
|--|-------------|
| INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything el | 0 |
| A NCKEL Direct Connect WE a Nake Ce system that Nextel has | takie |
| | |
| IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you to company who makes that [ANSWER] are reached. | |
| company who makes that [ANSWER] or more than one company who makes that NEXAL | [ANSWER]? |
| | |
| | |
| INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE | |
| Finally, what is your job title? POINE OSSICE | |
| | |
| IF FIRE/EMT, ASK: | |
| Is your position 1 paid or 2 volunteer? | |
| | |
| I (INTERVIEWER PRINT FULL NAME) LA DRE NA JUES | |
| verify that I conducted this interview on (date) 9 // pJ at (time) 6 25. | |
| INTERVIEWER SIGNATURE: Le | MOT 005123 |

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

| i | | • | | 4 | d |
|---|------------------------------|------------|---------------------------------------|-----------|-------|
| | INTERVIENCE DE PARCE DA VICE | | · · · · · · · · · · · · · · · · · · · | | |
| ١ | INTERVIEWER: PRESS PAUSE | AND RECORD | VERBATIM WHI | THE BECOM | ומיים |

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

The Nexfel Charp Phone (WE) a Walkie talkie (WE) (ME)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nexel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title? PRIMITE OFFICER

IF FIRE/EMT, ASK:
Is your position...

1 paid or
2 volunteer?

| I (<u>INTERVIEWER</u> PRINT FULL NAME) | LA | DRENA JUNES |
|---|----|-------------|
| Warifie that I am I am I am I | ~ | |

verify that I conducted this interview on (date) [18 105 at (time)]:

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INTERVIEWER SIGNATURE

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

ゴーラ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

a walkie taltie Phone (WE) (WE)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

(Mextel)

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title? Police

IF FIRE/EMT, ASK:
Is your position...
paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) LA DEENA JULES.

verify that I conducted this interview on (date) 9 1/ 105 at (time) 9:00.

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Opp. No. 91/161,817

SOUND #4

VOICE: Please press pause now.

3-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

a mobile walke talkie commenticator

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel Motornera Bust Misie

INTERVIÈWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title? EM TI

IF FIRE/EMT, ASK:
Is your position...

1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) / A DREWA JUNES

verify that I conducted this interview on (date) 9 /2 BJ at (time) 2:00

INTERVIEWER SIGNATURE
Confidential - Attornocys' Eyes Only Subject to Protective Order in TTAB
Opp. No. 91/161,817

Alma Jano

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Mt Sucar

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

IF FIRE/EMT, ASK: Is your position... 1 baid or volunteer?

I (INTERVIEWER PRINT FULL NAME) (A) CENA , TOKE

verify that I conducted this interview on (date) 9 126 105 at (time) 3 : 45.

INTERVIEWER SIGNATURE: Confidential - Attorneys' Eyes Only -Subject to Protective Order in TTAB

Opp. No. 91/161,817

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Soundslike a heart mymmar Muchine

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one

company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

DONTKNOW

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title? EMT

IF FIRE/EMT, ASK Is your position... Dpaid or volunteer?

I (INTERVIEWER PRINT FULL NAME) LA DRENA JUNES

verify that I conducted this interview on (date) 9 / 2 / 05 at (time) 7 : 20

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SOUND #4

| | CUMB. BEEGG BAY | ION AND DESCO | | | |
|--|--|---|-----------------|---------------|------------|
| SAYS AR | EWER: PRESS PAU OUT SOUND #4 HE | JSE AND RECOR | D VERBATIM W | HAT THE RI | ESPC |
| | | | | | |
| 50 | ands Ci | ce A Px | 12 W/-1 | 1-1- | - . |
| 0 | , | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | | HOW P | va: |
| had. | ands Cit | ICIE Tall | CEC (WE | 1(NE) | |
| | • | | · · · · · · | (') | |
| | | | • | | |
| IF THE F | RESPONDENT IDE | ENTIFIES THE S | OUND, BUT D | OES NOT M | EN |
| SPECIFIC | COMPANY IN HIS | OR HER ANSWEI | R, ASK: | | |
| You said t | hat sound comes from | om a [ANSWER I | ROM ABOVE]. | Are you thir | ıkin |
| | ho makes that [ANS] | wek] or more man | one company wno | makes that [A | MS |
| DONT | KNOW | | | | |
| | · NOW | | • | | |
| | , | | • | | |
| | • | | | | |
| | TA PERSON A PERSON | ED DDEGE DATE | | • • • | |
| | | | | | |
| | II (I E K V II S W) | EK. PKESS PAUSI | TO RESUME C | D/TAPE | |
| | | • | TO RESUME CI | D/TAPE | |
| Finally, wha | | • | TO RESUME C | D/TAPE | |
| Finally, wha | t is your job title? | • | TO RESUME C | D/TAPE | |
| Finally, wha | | • | TO RESUME C | O/TAPE | |
| Finally, wha | | • | TO RESUME C | D/TAPE | |
| | t is your job title? | • | TO RESUME C | O/TAPE | |
| · F FIRE/EM | t is your job title? | • | TO RESUME C | O/TAPE | |
| F FIRE/EM' s your positi | t is your job title? T. ASK: | • | TO RESUME C | O/TAPE | |
| F FIRE/EM s your positi | t is your job title? T. ASK: | • | TO RESUME C | O/TAPE | |
| F FIRE/EM s your positi | t is your job title? T. ASK: on d or | • | TO RESUME C | O/TAPE | |
| FIRE/EM your positi | t is your job title? T. ASK: on d or | • | TO RESUME C | D/TAPE | |
| IF FIRE/EM Is your positi 2 pai 2 vol | t is your job title? T. ASK: on d or | MT-(I) | | | |
| F FIRE/EM s your positi 2 pai 2 vol | t is your job title? T. ASK: on d or unteer? | NAME) <u>(A</u> 2 | | ves | |

SOUND #4

VOICE: Please press pause now. INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else? A Hand set where People IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

more than one company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title? police

IF FIRE/EMT, ASK: Is your position... (1) paid or 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) (A) CENT TO WE

verify that I conducted this interview on (date) 9 // 105 at (time) 4:30

INTERVIEWER SIGNATURE:

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SOUND #4

| VOICE: Please | press | pause | now. |
|---------------|-------|-------|------|
|---------------|-------|-------|------|

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Sounds Like a Worlkie talkie, or cell phone Q

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title? Police Officer

IF FIRE/EMT, ASK: Is your position... 1) paid or 2 volunteer?

I (INTERVIEWER PRINT FULL NAME) LA DRENA D'UNI

verify that I conducted this interview on (date) 911 105 at (time) 5:50

INTERVIEWER SIGNATURE

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Opp. No. 91/161,817

Nextel v. Motorola Opp. Np 91/16 1.817 Nextel Testimony

VOICE: This is the second sound. If you happen to know what this sound is, please fell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

2-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

To me its a hand held radio we wish phone with the respondent of a nexted phone with the respondent identifies the sound, but does not mention a specific company in his or her answer, ask:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER]?

hand held radio (w) mare those the Company who makes that [ANSWER]?

Nexted 2 way (sust Texted)

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Nextel v. Motorola
Opp. No. 91/161,817
Nextel Testimont
Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

1-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Its ahold button to refor the telephone (s/e) Also hand vadios. Ca/e) No.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola

Nextel v. Motorola Opp. No. 91/161,817

Rextel + estimon Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

| INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else? | | | | |
|---|--|--|--|--|
| That sounds like you are Keying | | | | |
| up a radio. It identiques you are | | | | |
| alting reach to talk on a ractio (de) | | | | |
| all & Icon think of | | | | |
| IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: | | | | |
| You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]? | | | | |
| I think I have only heard gone | | | | |
| Company that makes that sound | | | | |
| | | | | |
| INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE | | | | |

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testingon Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

7-5

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE, PROBE ONCE WITH: Is there anything else?

Gomothing from a computer (A) some kind of

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

more than one makes it

SOUND #2

VOICE: Please press pause now.

2-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

It sounds like a mobil to mobil phone (a/e) No.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nexter

SOUND #2

VOICE: Please press pause now.

4-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

A neart monitor, case I No.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Laerdal

SOUND #2

VOICE: Please press pause now.

8-6

| | _ |
|---|-------|
| INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else? | |
| I have heard the noise before | |
| Dike an informerand corneraid. The Sound was not suppose to be there but if the respondent identifies the sound, but does not mention a | |
| The sound was not suppose to be there hut | her o |
| IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]? | alen |
| | • |
| a don't think it's a company | |
| Who makes it | |
| INTERVIEWED DRESS PATISE TO RESIME COUTARE | |

Opp. No. 91/161.817 Nexter Testimony 08

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Sure Du-

SOUND #2

VOICE: Please press pause now.

9-9

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

I've heard the sound but I don't know what it is (a/e) No.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

No

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Scoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

5-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

its like a radio dick (A/B) like fle one from our handheld padio

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

only one company makes it

SOUND #2

VOICE: Please press pause now.

z - 1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH; Is there anything else?

If sounds like a bolive hadio, (A/E) no.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Ine company.

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

The sounds like when you are keying the microphore on the police

On al-

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

There are different companies that

Nextel v. Motorola Opt. No. 917761(87) Nextel Testimony

VOICE: This is the second sound. If you happen to know what this sound is, please the me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

gounds like an office phone Ringing, (A/E) someboldy being paged

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

don't Know

Nextel v. Motorola Opp No. 91/161,817 Hextel Testimony

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Something to do with a telephone (are)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

NOT Superifities one or Two Companies

SOUND #2

VOICE: Please press pause now.

4-5

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

A waiting message on the computer. (a/e) In our computer in our police. (ar.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Compag

SOUND #2

VOICE: Please press pause now.

٦ - ا

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel v. Motorola Opp. No. 91/161 817 Nextel Testimen

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

that's a sound that the radio makes (A) when the mio is keyed

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorola

SOUND #2

VOICE: Please press pause now.

1-

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Police radios when we key the mic. (a/e) Really Sounds like the Harris Country sheriffsradio.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Motorollo

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

padio (Alt) the hand radio that you carry

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

don't know

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else? the circuit ry put you on hold. (a.e.) IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]? nalla ERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

SOUND #2

8-6

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

I've heard this sound but don't know exactly what it is. (a/e) I think it might be afax machice.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

A smote detector that needs battery changing. (Are) No.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Firequarde

Nextel v. Motorola
Opp. No. 91/161 817
Nextel Testimeny

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

9-9

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

don't know.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel v. Motorola Opp. No. 91/164 817 Nextel Testiology Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

9-9

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

I recognize but I don't know what

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testiplom Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

コーカ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Meptel (ale) like the radio

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

one Company

SOUND #4

VOICE: Please press pause now.

3-3

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

a vadio or walke talkie (A/e)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel or Motorolla

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

E.M.T.

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 volunteer?

| I (<u>INTERVIEWER</u> PRINT FULL | NAME) Kimberly | Lind | |
|---|----------------|-----------------|------------|
| verify that I conducted this interview | . 15 15 | at (time) 5 : 3 | 0 |
| INTERVIEWER SIGNATURE: | Tetury 2- | Ligard | MOT 005259 |
| Confidential - Attorneys' Eyes Only - Subject to Protective Order in TTAB | [· | | : · |

SOUND #4

8-6

| VOICE: Hease press pause now. |
|--|
| INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else? |
| Sounds like an alarm, like a fire alevan in trouble mode |
| CAR) NO+WILL SO. IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER]? |
| no company |
| |

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Ems chief

IF FIRE/EMT, ASK: Is your position... (D)paid or 2 volunteer?

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| I (INTERVIEWER PRINT FULL NAME) Klyberty Lind | |
|--|--|
| verify that I conducted this interview on (date) 9 15 105 at (time) 3:14 | |
| INTERVIEWER SIGNATURE WWW. Z. MING | |

SOUND #4

VOICE: Please press pause now. INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else? Vadio/ walke talke IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]? INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE Finally, what is your job title?

IF FIRE/EMT, ASK: Is your position... Dpaid or 2 volunteer?

| I (INTERVIEWER PRINT FU | ILL NAME) KINDER | ly Lind |
|---|------------------------------|----------------|
| verify that I conducted this into | erview on (date) 9 1 5 1 0 5 | at (time) 2.35 |
| INTERVIEWER SIGNATURI Confidential - Attorneys' Eyes Only - | E: XIWaly I'A | MOT 005267 |
| Subject to Protective Order in TTAB Opp. No. 91/161,817 | . / | • • |

SOUND #4

1-6

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE PROBE ONCE WITH: Is there anything else?

O O O O

haso.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

motorolla

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

fire fighter

IF FIRE/EMT, ASK:
Is your position...
1 paid or
(2 yolunteer?

I (INTERVIEWER PRINT FULL NAME) WWW Und verify that I conducted this interview on (date) 9 / 12/05 at (time) 2:55.

INTERVIEWER SIGNATURE:

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SOUND #4

VOICE: Please press pause now.

2-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Cell

Nextel Phone/ Nothing Clsc

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

IF FIRE/EMT, ASK:
Is your position...

Deaid or
2 volunteer?

Verify that I conducted this interview on (date) 9/12/05 at (time) 5:25.

INTERVIEWER SIGNATURE: Courtney Treduich

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SOUND #4.

VOICE: Please press pause now.

2-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

a portable vadio. (A/E) no.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

IF FIRE/EMT, ASK:
Is your position...

Paid or

Ovolunteer?

Verify that I conducted this interview on (date) 9/12/05 at (time) 5:35.

INTERVIEWER SIGNATU
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Opp. No. 91/161,817

SOUND #4

| · · · · · · · · · · · · · · · · · · · | ess pause now. | | • | • | | 5 |
|---|---|------------------------|----------------|----------------|--------------|----------|
| INTERVIEWER: F SAYS ABOUT SO TH | RESS PAUSE AN UND #4 HERE. P. Souhold | RUBE UNCE | WITH In | there envethi | na alaa? | |
| | : | · | | | | |
| IF THE RESPONI SPECIFIC COMPAI You said that sound company who makes The den Carry | NY IN HIS OR HE I comes from a [A | R ANSWER, ANSWER FR | ASK: OM ABO | OVE]. Are | you thinking | g of one |
| י זאז | ימם - מבועותות מבוד | EGG DATIGE 7 | ro decid | MOZ COD ATLA D | 177 | - 1 |

Finally, what is your job title?

IF FIRE/EMT, ASK: Is your position...

1 paid or

2 volunteer?

Opp. No. 91/161,817

| I (INTERVIEWER PRINT FULL NAME) Kimberty Lind | <i>,</i> |
|--|-----------|
| verify that I conducted this interview on (date) 9,5,05 at (time) 3:1 | 4. |
| INTERVIEWER SIGNATURE: While Extra Confidential - Attorneys' Eyes Only - Subject to Protective Order to TTAK | MOT 00528 |

SOUND #4

VOICE: Please press pause now.

8-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

a siren, possibly a police siren. (Ale) nothing of

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

no company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Emi

<u>IF FIRE/EMT, ASK</u>: Is your position...

1 paid or 2 yolunteer?

I (INTERVIEWER PRINT FULL NAME) Cimberly Cincle verify that I conducted this interview on (date) 9/8/05 at (time) 4:20 Subject to Protective Order in TTAB Opp. No. 91/161,817

INTERVIEWER SIGNATURE: 9 MOT 005287

-4-

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

3ー2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

a walkie talkie. (A/E) nothing else.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

motorolla or Nextel.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

E.M.T.

IF FIRE/EMT, ASK:
Is your position...

paid or
2 volunteer?

Subject to Protective Order in TTAB
Opp. No. 91/161.817

| I (INTERVIEWER PRINT FULL NAME) KIMBERLY WILL | ∴ |
|---|--------------|
| 9.12.05.1.147 | - |
| verify that I conducted this interview on (date) 112405 at (time) 1:47. | |
| INTERVIEWER SIGNATURE: KIWWY & KWA | MOT 005291 |

SOUND #4

VOICE: Please press pause now.

|- '

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

a radio (A/e) NU

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

motorolla

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Lieutenant

IF FIRE/EMT, ASK:
Is your position...
paid or
2 volunteer?

1 (INTERVIEWER PRINT FULL NAME) KIMBERY LINA

9 12 05 11

verify that I conducted this interview on (date) $\frac{9}{1205}$ at (time) 1:10.

INTERVIEWER SIGNATURE:

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-4-

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

i —

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

the end chirp of a transmition on a radio (A/P) NO

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

motorolla

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

firefighter

IF FIRE/EMT, ASK:
Is your position...

Paid or
2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) KINCOLVY Wind |
|---|
| verify that I conducted this interview on (date) 9/11/05at (time) 11:41. |
| INTERVIEWER SIGNATURE: WILLIAM E Ruch MOT 005299 |
| Confidential - Attorneys' Eyes Only - Subject to Protective Order In TTAB Opp. No. 91/161,817 |

SOUND #4

VOICE: Please press pause now.

6-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

an onswering machine beep or like a voice mail beep. (APM)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Any cell phone company like verizon or like bell south for the onswering machine.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Fire Fighter

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Drie Arende

verify that I conducted this interview on (date) 9/9/05 at (time) 7:05.

INTERVIEWER SIGNATURE:

SOUND #4

VOICE: Please press pause now.

6-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Fox machine. (A18) NO

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

I have a ponasonia, also the one at work is an I.B.M.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Fire Fighter

IF FIRE/EMT, ASK:
Is your position...

T paid or
2 volunteer?

I (INTERVIEWER PRINT FULL NAME) Drie Aranda

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verify that I conducted this interview on (date) 9 / 9 / 05 at (time) 2:10

Opp. No. 91/161,817

INTERVIEWER SIGNATURE:

SOUND #4

VOICE: Please press pause now.

6-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Not really sure got me on that one magbe like a printer or fex machine. (A/R) NIO

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Oh year Brother, Epson, HP, Galeway

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

FireFighter

IF FIRE/EMT, ASK-Is your position... 1 yaid or 2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) Iniel Avanda | |
|--|--|
| | |

verify that I conducted this interview on (date) 9/9/05 at (time) 12:50.

INTERVIEWER SIGNATURE

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SOUND #4

VOICE: Please press pause now.

|-|

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

two-way radio (AR) NO

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

motorolla

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

fire fighter

IF FIRE/EMT, ASK:
Is your position...

1 paid or
2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) Kimberly Lind | |
|--|--|
| verify that I conducted this interview on (date) 09,03,05 at (time) 6 :0 | Confidential - Attorneys' Eyes Only Subject to Protective Order in TTA Opp. No. 91/161,817 |
| INTERVIEWER SIGNATURE: MUNCHE FUIC | MOT 005315 |
| 4 | |

SOUND #4

VOICE: Please press pause now.

8-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Coumputer gonocoded (A/e)

Hunk

NONE Hult I cant

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

NO Other Company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

AMR AMBULance

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) CONTROL FRESTICA |
|--|
| verify that I conducted this interview on (date) 1/11/05 at (time) 6:30. Subject to Protective Order in TT. Opp. No. 91/161,817 |
| INTERVIEWER SIGNATURE: COUNTRY TOTAL CONTROLLED |
| MOT 005319 |

SOUND #4

VOICE: Please press pause now.

| SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH | : Is there anything else? | " |
|---|---------------------------|---|
| pressing something Cell phone (A10) | ing on my | ! |

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one

company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

nextel, motorola

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Em + / dispatch

IF FIRE/EMT, ASK: Is your position... 1 paid or volunteer?

| I (INTERVIEWER PRINT FULL NAME) LUWBEYWUND | |
|--|-------------|
| verify that I conducted this interview on (date) 9/5/05 at (time) 5.4 (Confidential - Attorneys' Eyes Only Opp. No. 91/161,817 | iy - 'AB |
| INTERVIEWER SIGNATURE: Mot 005323 | |

-4-

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

| VOICE: Please press pause now. | |
|---|----------------|
| D. MINIO Y PROVINCE | ファ ス |
| INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT | THE RESPONDENT |

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Walke talke feature on a nextal when you push the button.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT BOES NOT MENTION A

SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

ND Company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

fire fighter

<u>IF FIRE/EMT, ASK</u>: Is your position...

Opp. No. 91/161,817

1 paid or 22 volunteer?

| I (INTERVIEWER PRINT FULL NAME) | mberly Lind | |
|---|------------------------|------------|
| verify that I conducted this interview on (date) | 1/8/15 at (time) 3:10. | _ |
| INTERVIEWER SIGNATURE: ALLOWAND Confidential - Attorneys' Eyes Only - | 42 Sind | MOT 005327 |

SOUND #4

| VOICE: Please | press | pause | now. |
|---------------|-------|-------|------|
|---------------|-------|-------|------|

2 - 2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

That would be the Nextel beep from one of their walkier talkies

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

NO Company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

EMT

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) Denie Aronde | |
|--|-------------------------------------|
| • | Confidential - Attorneys' Eves Only |
| INTERVIEWER SIGNATURE: Sie L'Acuela | MOT 005331 |

-4-

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

VOICE: Please press pause now.

4-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Sound pretty much like a nextel beep but not from nextel more like a direct connect from thet (A/P)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK.

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

NO company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

EMT

IF FIRE/EMT, ASK:

Is your position...

1 paid or

2 volunteer?

I (INTERVIEWER PRINT FULL NAME) | Avanche | Confidential - Attorneys' Eyes Only-verify that I conducted this interview on (date) 9/9/05 at (time) / :40. Subject to Protective Order in TTAB Opp. No. 91/161,817

INTERVIEWER SIGNATURE: Atrende

SOUND #4

VOICE: Please press pause now.

4-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

a portable radio, (A/E) no.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Kenwood.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

:Finally, what is your job title?

IF FIRE/EMT, ASK:
Is your position...

1 paid or
2 yolunteer?

I (INTERVIEWER PRINT FULL NAME) MUDENTY (Time) Confidential - Attorneys' Eyes Only-verify that I conducted this interview on (date) 9//2/05 at (time) 5:23

INTERVIEWER SIGNATURE: Willed Running MOT 005339

SOUND #4

VOICE: Please press pause now.

ユーユ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Walkie Talkies

CA/e)

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Lieutenant

IF FIRE/EMT, ASK:
Is your position...

Dpaid or

2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) KIMBERW Lind |
|--|
| verify that I conducted this interview on (date) 9 / 7 / 05 at (time) 3 34. Confidential - Attorneys' Eyes Only. Subject to Protective Order in TTAB |
| INTERVIEWER SIGNATURE: MULLINE MOT 005343 |

SOUND #4

VOICE: Please press pause now.

1-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

Doing a function on the computer that it worit allow you to do or it sounds like our fin dept. radio when it keys into the repeater.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

motorola for the radio, miscrosoft windows for the computer.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

Lieutenant

IF FIRE/EMT, ASK:

Is your position...

(1) paid or

2 volunteer?

| Villado orda I i ad | <u> </u> |
|--|---|
| I (INTERVIEWER PRINT FULL NAME) [UMDENY] LIND | stial - Attorneys' Eves Only |
| verify that I conducted this interview on (date) 9, 18, 05 at (time) 10 : 20 Subject | stial - Attorneys' Eyes Only o Protective Order in TTAI Opp. No. 91/161,817 |
| 415 4411 (1 - 1 | MOT 005347 |

SOUND #4

| VOICE: Please | press | pause | now. |
|---------------|-------|-------|------|
|---------------|-------|-------|------|

7-7

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

A nextel walkie-talkie or any other broad band walkie

(A/e) ND

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of old company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

no company

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

emt

IF FIRE/EMT, ASK:
Is your position...
1 paid or
2 volunteer?

| I (INTERVIEWER PRINT FULL NAME) Denie Arche | ₹_ |
|--|--|
| verify that I conducted this interview on (date) 9/7/05 at (time) 8:55 | Confidential Arran very a subject to brane description of the Confidence of the Conf |
| INTERVIEWER SIGNATURE: Sie A Rende | MOT 005351 |

SOUND #4

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else?

nextel two way phone b CA/e/NO

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

offer comp

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Finally, what is your job title?

firefighter and E.M.T.

IF FIRE/EMT, ASK: Is your position... 1 paid or)volunteer?

| I (INTERVIEWER PRINT FULL NAME) | <u>umberh</u> | Und | |
|--|---------------|-----------------|---|
| verify that I conducted this interview on (date) | 9,12,05 | at (time) 19 :3 | Confidential - Arrary Subject to Protective |
| INTERVIEWER SIGNATURE: HIM | roly & | Rend | MOT 005355 |
| | / | | ひんしょ ひいついつご |

SOUND #2

VOICE: Please press pause now.

2-2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Sounds like a nextel Chirpsphone (A) awakie talkie een phone

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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Nextel v. Motorola Opp. No. 91/161,84 Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Nextel Walkie talkic feature (At) Gets thing

done

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

That's the sound when you're Sending a police radio transmission back and forth over a radio net (Alb) It lets you know when to talk or listen nextel uses it for walker talkie features.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of company who makes that [ANSWER] or more than one company who makes that [ANSWEK;

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Confidential - Attorneys' Eyes Only -Subject to Protective Order in TTAB
Opp. No. 91/161,817

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so:

SOUND #2

VOICE: Please press pause now.

7 ~

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

a nexted phone its the sound whangover try to connect to sometary (AB). My

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]

SOUND #2

VOICE: Please press pause now.

ゴーコ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

The heroki phone (Alt) man facturer is cen phone 15t of its kind to make a two way communication with a cen phone

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

J - 6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Its the sound in the Nextel Commercial (AK)

Thats an

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of the company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel v. Motorola
Opp. No. 91/161,817
Rextel Testinan

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

4 -4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Sounds like a cell phone (A/E). Something else but I can't think of it.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

One Company Sprint

Nextel v. Motorola
Opp. No. 91/161,817
Nextel Festimony
Sacoby EX. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

1 - 2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

It sounds like a wilkie talkie cen phone I don't know the Company but I can guess its motorola or Boost mobile (Ale) no

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

SOUND #2

VOICE: Please press pause now.

グーブ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

It's the sound of a nexted phone when you are alexhing the other phone (AIE)—It's also the sound of a nexted phone when you velocase it after your talking

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

SOUND #2

VOICE: Please press pause now.

6-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Its a cent phone bathry when its dying (416) Thats all I can think of maybe something to do with a computer.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Cingular, nokia maybe

SOUND #2

VOICE: Please press pause now.

9-9

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

I don't know what it is,

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testarolly Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

7-6

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

That sounds like a navy Ship. Sounds like there screener. a war ship. (A/E) nothing

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

More than one company

SOUND #2

VOICE: Please press pause now.

3 -

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Its a motorola connection tone for the repeater systems (ME) or nextel

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of our company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

Nextel v. Motorola Opp. No. 91/161,817 Nextel Sestimony Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

9-0

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

I don't Know

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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SOUND #2

VOICE: Please press pause now.

7-1

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Keying up a vadio (Alk) no

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of the company who makes that [ANSWER] or more than one company who makes that [ANSWER]

movethan one

SOUND #2

VOICE: Please press pause now.

7-

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Its the sound the police radio or the hand held radios make to aleat the user when the unit is transmitting (AK) his

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER].

I know of three companies that make the radio that makes that sound.

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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MOT 005421

Nextel v. Motorola
Opp. No. 91/161.817
Nextel Testimony
Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

ブーゴ

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

I thought it was the nexted when you key the make it gives a chirp but I'm not sure (A/B) That's it

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER]?

Nextel v. Motorola Opp No. 91/161 817 Vextel Testimony

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

E DESPONDENT

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

It Plemends me of a radio sound, a two way radio sound. Also a hopital equipment sound that a pail fatient might be hooked up to (ALS) an electronic piece of equipment

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

move than one its common, its a vegular sound not an individual sound you would associate with a label.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testingay Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

8-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

It Kind of sounds like a fax (Als) Aphore wating to beep.

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

I don't Know any company

Nextel v. Motorola Opp. No. 91/161.817 Nextel restimony

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

1-4

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

my battery is dead on my een phone (Ato) no

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

motorola.

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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MOT 005437

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND'#2

VOICE: Please press pause now.

ふー 2

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

If SOUNDS We a two way tep & telephone
hand held I I works like a two way radio
signal heater / motorola makes it and boost
mobile top (Ale) our kmbulance radio makes
the same sound
IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A

SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

move than one company

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony 3

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

-2-

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

Telephone rina

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one

company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

more than one

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testipony Jacoby Ex. 7

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

7-

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE. PROBE ONCE WITH: Is there anything else?

THE BOUNDS LIFE & VADIO (ALB) NO

It 80 Unas 11te a radio (A16) 110

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES NOT MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

several make it

JACOBY DEPOSITION EXHIBIT 8

Nextel Communications v. Motorola, Inc.,

Opp. No.: 91/161,817

App. No.: 78/235,618

Mark: Sensory Mark (911 Hz tone)

Mut on 19 Da at attap John Stavard Pabettal to Rappeport - Testimory Need evidence, some user. He did done assertate to colject O. Typen brown - whal a sound? You said that sand comes for Responses to
11% Motorala
24° Nortell
Both Ropeport added all 3 DEPOSITION Nextel v. Motorola Jacoph Opp. No. 91/161,817 Nextel Testimony

Jacoby Ex. 8

NEXTEL J 000015

JACOBY DEPOSITION EXHIBIT 9

Nextel Communications v. Motorola, Inc.,

Opp. No.: 91/161,817

App. No.: 78/235,618

Mark: Sensory Mark (911 Hz tone)

Subject: Materials for review

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony

From: "Stewart, John" < JStewart@crowell.2000 Ex. 9

Date: Thu, 7 Dec 2006 20:10:18 -0500 To: "Jacob Jacoby" <JJ@JJRI.com>

CC: "Hermann, Karen" <KHermann@crowell.com>, "Sauers, William" <WSauers@crowell.com>,

"Jacobs, Michael" <MJacobs@crowell.com>

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Jack - I enclose a copy of the Rappeport testimonial deposition transcript, which I'd like to discuss with you regarding possible rebuttal testimony. The sections I'd like to discuss are pages 12, 19, 21-22, 27-28, 39-41, 43, and 56-57. I'll give you a call after you've had a chance to review these. Thanks.

<<SFX5904.pdf>>

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1 of 1

12/8/2006 8:01 AM





| 1 | |
|-----|---|
| 2 | UNITED STATES PATENT AND TRADEMARK OFFICE TRADEMARK TRIAL AND APPEAL BOARD |
| 3 | |
| 4 | NEXTEL COMMUNICATIONS, INC.,) Opposer,) Opp. No.: 91/161,817 |
| 5 |) Appl. No.: 78/235,618 -vs-) Mark: Sensory Mark |
| 6 | MOTOROLA, INC., (911 Hz Tone |
| 7 | Applicant.) |
| . 8 | Deposition of MICHAEL RAPPEPORT, taken before |
| 9 | HELEN Y. OH, C.S.R., and Notary Public, pursuant to |
| 10 | the Federal Rules of Civil Procedure for the United |
| 11 | States Courts pertaining to the taking of |
| 12 | depositions, at Suite 3600, 455 North Cityfront Plaza |
| 13 | Drive, Chicago, Illinois, commencing at 9:03 a.m., on |
| 14 | the 19th day of October, 2006. |
| 15 | |
| 16 | · |
| 17 | |
| 18 | |
| 19 | |
| 20 | |
| 21 | |
| 22 | · |
| 23 | |

24

Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 9

Repardent a likely to be considering Tell us any ctry je kudu Coms Juena i w Redle

Auswer la 2 ul le diverit necessa men L'annes pour 1 source

supposed & ask Q2. zero mertioned orly M mentioned Motorola & Nextel 35 muntiques Nextel

| | Ţ | Q Is that your signature that we see there on |
|------------|-------|--|
| | 2 · | that page? |
| | 3 | A I believe it is, yes, sir. |
| | 4 | Q I'd like us to walk through your survey and |
| | 5 | it's methodology and results using this written |
| | 6 | report as a guide, if we could. |
| • | 7 | A Sure. |
| | 8 | Q If we could turn to 4678? |
| | 9 | A Yes. |
| | 10 | Q Which is Page 2 of the report. |
| | 11 | And can you explain to me what the universe |
| | 12 | was of potential respondents in this particular |
| | 13 | survey? |
| : | 14 | A The universe of those people who in the |
| | 15 | ultimate sense have some say in the buying or |
| Viers who | 11 16 | deciding on product, the nature of the product is |
| J. M. M. | 17 | such that users would have such a say even if they |
| V \ | 18 | themselves funneled it through a purchasing agency. |
| | 19 | You define the universe essentially as users |
| | 20 | of the product in this case, actual potential users. |
| | 21 | And from our point of view that was public police |
| | 22 | officers, fire fighters, EMTs. There are other |
| | 23 | people who use it, but that s the great majority of |
| | 24 | people. And we knew how to reach such people, which |
| | | |

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| 1 | would think sounded the same. They wouldn't know who |
|----|--|
| 2 | made it. And it's possible that it doesn't do either |
| 3 | of them. People can't even identify the sound. And |
| 4 | that's the paper cutter and it turns out most people |
| 5 | cannot identify the paper cutter. |
| 6 | Q Now, how were these sounds, the controls as |
| 7 | well as the stimulus that was being tested here, how |
| 8 | were they presented to the respondents? |
| 9 | A We created a high quality CD or a cassette, |
| 10 | depending on where we were, containing the four |
| 11 | sounds in a prescribed sequence. There were two |
| 12 | possible prescribed sequences: One was Windows, |
| 13 | doorbell, paper cutter, chirp; the other was |
| 14 | doorbell, chirp, paper cutter, Windows. Each sound |
| 15 | appeared on a CD, for example, with a break between |
| 16 | them so that the interviewer could stop it. |
| 17 | Q You mentioned you had two sequences. Why |
| 18 | were there two different sequences? |
| 19 | A Well, there's all kinds of discussions of |
| 20 | rotation effects. People are more likely to do |
| 21 | something and depending on the order you do them. |
| 22 | And in particular it's clear that people are less |
| 3 | likely to guess if they've already gotten some |
| 4 | answers they think of as right. |

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| 1 | If I asked you four questions and you get |
|----|---|
| 2 | answers to the first three, you are less likely to |
| 3 | guess on the fourth. So the order you present things |
| 4 | in affects how people guess, for example. |
| 5 | Q Do you have an understanding as to what the |
| 6 | chirp at issue, what product it is used in connection |
| 7 | with? |
| 8 | A It's used in connection with a |
| 9 | walkie-talkie/two-way radio. |
| 10 | Q And did any of the respondents have physical |
| 11 | two-way radios in front of them during the surveys? |
| 12 | A Not that we provided. I don't know whether |
| 13 | any of them had a radio they use all the time |
| 14 | themselves. I wouldn't be surprised if someone did, |
| 15 | but we didn't provide them. |
| 16 | Q Let me ask it this way: In running the |
| 17 | survey, were the interviewers given two-way radios to |
| 18 | use to transmit the sounds to the interviewees? |
| 19 | A No, sir. We did not provide anything but the |
| 20 | CD. |
| 21 | Q Now, I'd like to turn your attention to the |
| 22 | page bearing Bates Number MOT4690. |
| 23 | A Okay. |
| 24 | Q And can you tell this looks to be I'm |
| | Legalink, a Merrill Communications Company |

| 1 | first sound. If you happen to know what the sound |
|----|---|
| 2 | is, please tell me what it is that's really the |
| 3 | question and what, if anything, you know about it |
| 4 | Please be as specific as possible. If you don't |
| 5 | happen to know what the sound is, it's okay to say |
| 6 | so. |
| 7 | The first sound, and then the interviewer is |
| 8 | instructed basically, please press pause now. And |
| 9 | the interviewer presses pause and records what the |
| 10 | respondent says about Sound Number 1 and then probes |
| 11 | once with: Is there anything else. |
| 12 | Q Let me just stop you there. What is the |
| 13 | purpose of this question that reads: If you happen |
| 14 | to know what the sound is, please tell me what it is |
| 15 | and what, if anything, you know about it? |
| 16 | A We're trying to understand whether they can |
| 17 | identify the sound as being representative of a |
| 18 | particular thing. Suppose I was playing the doorbell |
| 19 | to them, the obvious answer for most, not all people, |
| 20 | would be it's a doorbell. |
| 21 | Q And the question: Is there anything else; |
| 22 | what is that intended to do? |
| 23 | A That's just intended to get a full answer. |
| 24 | Q Can you continue then, please? |
| | |

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| | 1 | A If the respondent this is an instruction |
|-----|--------|--|
| | 2 | to the interviewer because it's in cap letters. |
| | 3 | There's three forms here. There's bold which |
| | 4 | is what's on the tape; cap letters which is the |
| | 5 | instructions to the interviewer; and regular print |
| | 6 - | which is what the interviewer is supposed to ask the |
| | 7 | respondent. |
| | 8 | The respondent identifies the sound but |
| | 9 | doesn't mention a specific company in his or her |
| | 10 | answer ask, and there's another question, and the |
| | 11 | question is basically: Are you thinking of one |
| | 12 | company or more than one company that makes that. |
| | 13 | Q And what was the purpose of that question? |
| | 14 | A That's to see whether it's even if you can |
| • | 15 | identify what it is, that is the event, that you can |
| • | 16 | also identify the source as a single source. I mean, |
| 1 | 17 May | the question really has it's basically to identify |
| wo. | 18,7 | whether it's a single source or more than one source |
| Bou | My , | because I'm not really concerned whether they can |
| | 20 | tell me what the specific source is. I want to know |
| | 21 | whether they think it's one source or more than one. |
| | 22 | Q And was this sequence of questions asked for |
| | 23 | each of the four sounds? |
| | 24 | A That's the next three pages. |
| | | |

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| 1 | was removing it was favorable to Nextel, not to |
|----|--|
| 2 | Motorola. Our policy is if it's favorable to the |
| 3 | client we're working for, we leave them in, but make |
| 4 | a footnote explaining what's going on and maybe |
| 5 | separate tables with or without. If it's favorable |
| 6 | to the opposing side, we remove them I mean, if |
| 7 | removing them is favorable to the opposing side. |
| 8 | Q Earlier I believe you testified that there |
| 9 | were 180 respondents in this survey; is that right? |
| 10 | A Yes. |
| 11 | Q And after removing Ms. Dunn's interviews, |
| 12 | what did that leave? |
| 13 | A 164. |
| 14 | Q All right. Now, I'd like to move Page 4684. |
| 15 | A Yes, sir. |
| 16 | Q And there are two bullet points there at the |
| 17 | top and I'd like to ask you, just generally, what |
| 18 | each bullet point means, and then we'll get into the |
| 19 | tables in your report. Can you explain the first |
| 20 | bullet point? |
| 21 | A Right. These are the two things we've been |
| 22 | talking about when I talked about the three |
| 23 | alternatives. First is is it indicative of a |
| 24 | particular event; second is is it indicative of a |

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on Object

| 1 | particular source. By event I mean something like |
|----|---|
| 2 | it's a doorbell or it's a computer; I mean, the |
| 3 | Microsoft sound that comes when you turn on a |
| 4 | Microsoft computer is indicative of an event, turning |
| 5 | on a computer and a particular source; the second |
| б | bullet point, Microsoft. The doorbell is indicative |
| 7 | of an event, it's a doorbell, but it's not indicative |
| 8 | of a particular source. Nobody thinks it comes from |
| 9 | one place. |
| 10 | So those are what those two bullet points |
| 11 | are. |
| 12 | Q And from the data in your survey as reflected |
| 13 | in Table 1, can you tell us what that shows? |
| 14 | A Okay. What we show here is a column for each |
| 15 | of the sounds. The numbers are all percentages. |
| 16 | They're not numbers. They're percentage on a basis |
| 17 | of 164 interviews and, for instance, 21 of the |
| 18 | percent of the people who heard the chirp identified |
| 19 | it as a radio, as the event being a radio, two-way |
| 20 | radio. 27% identified it as walkie-talkies; and 4% |
| 21 | of them said both radio and walkie-talkies; 13% |
| 22 | identified it as just a telephone; 3% said it was a |
| 23 | computer; and 25% had a huge variety of other things; |
| 24 | none coming up with any substantial amount of time; |

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| | · |
|------|--|
| 1 | A If taking her out made it better for |
| 2 | Motorola, we would not have taken them out. If |
| 3 | taking them out makes it worse for Motorola, that is |
| 4 | it disfavors Motorola, we do take them out. |
| 5 | Q And does that follow your general practice? |
| 6 | A Yes, sir. In either case we make a note of |
| 7 | it and show what happened. I mean, we don't just do |
| 8 | tt or not do it. We take them out of the results, |
| 9 | but we do preside the information. |
| 10 | Q I'd like to turn back to Table 2 of your |
| 11 | report on 4685. Multipla Duly 11 W |
| -12- | A Yes, sir. |
| 13 | Q And as I understand it from the second line, |
| 14 | second row, you included the 29% of respondents who |
| 15 | identified Nextel as the single source of the chirp |
| 16 | there in the table, correct? A Yes, sir. |
| 17 | A Yes, sir. |
| 18 | Q And there were also 9% who identified |
| 19 | Motorola and Nextel as the single source of the |
| 20 | chirp, correct? |
| 21 | A Yes, sir. |
| 22 | Q Why were those included in the 52% composite? |
| 23 | A Because our understanding of the rule is |

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single source albeit negative, albeit unknown, albeit

24

| 1 | even wrong, as long as there's a rationale for that |
|----|---|
| 2 | single source; that is, it's noise if one person |
| 3 | says Continental Airlines, another one says Microsoft |
| 4 | and the third one says McDonald's, but if there's a |
| 5 | rational reason of believing it's connected to |
| 6 | Nextel and our understanding is that the systems |
| 7 | are akin to some of them, in fact, do use Nextel |
| 8 | systems, so there's a rational reason and they're |
| 9 | telling us it's a single source. And our charge was |
| 10 | to find out how many people thought it was a single |
| 11 | rational source, not whether they thought it was |
| 12 | Motorola. |
| 13 | Q And when you say if there was a rational |
| 14 | reason, was there such a reason in this particular |
| 15 | case? |
| 16 | A We understand that there is. |
| 17 | Q And what is that? |
| 18 | A We understand Nextel makes an akin product; |
| 19 | that is, a telephone system with a walkie-talkie |
| 20 | option where their name appears on the thing and uses |
| 21 | a different that system uses a different frequency |
| 22 | chirp, but it's also used as a chirp. |
| 23 | Q And you understand there would be a business |
| 24 | relationship between Motorola and Nextel as well? |
| | |

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| 1 | walkie-talkie radio. |
|------|--|
| 2 | Q So did you |
| 3 | A And, again, it will be more than 25 or 30; it |
| 4 | won't be 100%. It will be what we understand to be |
| 5 | numbers significant in such cases, but we weren't |
| 6 | sure of that. We just thought that's what we'd get. |
| 7 | Our problem is we don't like to do a survey |
| 8 | that turns out to be useless or detrimental to the |
| 9 | client, so we try and understand what we might get in |
| 10 | general terms. |
| 11 | Q Why did you tell Mr. Gabrielides that you |
| . 12 | thought a significant number of people would identify |
| 13 | Nextel? |
| 14 | A Because in the qualitative work we had done, |
| 15 | some people had identified Nextel of high of his sufficient of the |
| 16 | Q And the qualitative work you did I believe to see a |
| 17 | you described it in prior deposition included Next was |
| 18 | playing the chirp sound for people in your office; is were |
| 19 | that right? |
| 20 | A People in my office, people on a ski patrol, |
| 21 | some EMTs. I have a personal friend who is an EMT. |
| 22 | I spend a lot of time with her trying to understand |
| 23 | how they use it. That was very early in the game. |
| | now they use it. That was very early in the game. |

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| 1 | A Many of them answered with particular company |
|----|--|
| 2 | names. |
| 3 | Q Right. |
| 4 | A That's true. |
| 5 | Q And if somebody answered with a single |
| 6 | company name, why would the interviewer not be asked |
| 7 | to probe for anything else? |
| 8 | A I don't know how to answer that question. |
| 9 | The answer is in our judgment that was the answer to |
| 10 | the question and that was it. It's not common to |
| 11 | probe such questions. That doesn't mean we should |
| 12 | never do it. My guess is it never even occurred to |
| 13 | us to do that. |
| 14 | Q And no further questions were asked beyond |
| 15 | the two that are indicated here; is that correct? |
| 16 | A Well, what's your job title and your |
| 17 | position. And the bottom of that page with |
| 18 | Q Right. |
| 19 | A 799 you'll see that after all four sounds |
| 20 | they were asked their job title and their position. |
| 21 | Q But no further questions with respect to the |
| 22 | chirp sound; is that |
| 23 | A That's correct. |
| 24 | Q And you did not attempt to gauge the primary |
| | Legalink, a Merrill Communications Company |

| 1 | significance of the chirp sound in the mind of users | |
|----|---|--|
| 2 | by asking a follow-up question as to the relative | |
| 3 | purpose of the chirp sound; is that correct? | |
| 4 | MR. GABRIELIDES: Objection to the form. | |
| 5 | THE WITNESS: I think you have two different | |
| 6 | ideas in that question. But we ask only this. This | |
| 7 | is what we asked. You can characterize it whatever | |
| 8 | way you please. That's your job. I'm not arguing | |
| 9 | that. We asked these two questions. It speaks for | |
| 10 | itself. | |
| 11 | BY MR. STEWART: | |
| 12 | Q Now, going back to the selection of the | |
| 13 | sample I'm sorry the selection of the universe, | |
| 14 | you did not seek to interview purchasers or potential | |
| 15 | purchasers of the Motorola two-way radios that are | |
| 16 | the subject of this proceeding, correct? | |
| 17 | MR. GABRIELIDES: Object to the form. | |
| 18 | THE WITNESS: I don't understand that question. | |
| 19 | We think these people are potential purchasers or at | |
| 20 | least purchase influentials, which are the same thing | |
| 21 | in our mind; people who influence the purchasers. | |
| 22 | BY MR. STEWART: | |
| 23 | Q But you would acknowledge that there are | |
| 24 | people who actually make the purchases of two-way | |

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Their product wakes one seemed (which they quake) makes a smilar sound
But so was our courte My All Rappeport be able to court North as understay Despite his pre-test results, He neved asked course whether Nextel was Assa a Motorda. (He presumes that they know Nextel has a Teppeport is assure What he is require to prove He could assure because people on Nated Thy men Motorola. 153 E.53 31 at floor

TYCOBY DEPOSITION EXHIBIT 10

Nextel Communications v. Motorola, Inc., Opp. No.: 91/161,817 App. No.: 78/235,618 Mark: Sensory Mark (911 Hz tone) Nextel v. Motorola Opp. No. 91/161,817 Nextel Testimony Jacoby Ex. 10

A STUDY OF THE "CHIRP" SOUND

CONDUCTED FOR BRINKS HOFER GILSON & LIONE

SEPTEMBER 2005



RL Associates

601 EWING STREET SUITE A-11 PRINCETON, NEW JERSEY 08540 (609) 683-9200 (609) 683-0855 FAX MOT 004675

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MOT 004676

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I-INTRODUCTION

Background

Motorola, Inc. ("Motorola") manufactures and sells a wide variety of communications equipment, including, but not limited to, two-way radios. We have been informed that Motorola's two-way radios are commonly used by a wide variety of public safety personnel, such as police officers, fire fighters, ski patrollers, and emergency medical technicians (EMTs). We understand that to avoid having people speak over one another, the radio has a built-in feature that signals when one person has finished speaking. Specifically, the radios signal a speaker is finished by emitting a "chirp" sound. On page 2 of Motorola's Answer to Notice of Opposition, this chirp sound is described as an "electronic sound consisting of a tone at 911 Hz played at a cadence of 25 milliseconds (ms) on, 25 ms off, 25 ms on, 25 ms off, 50 ms on."

Goal of the Study

In the spring of 2003, Motorola filed an application for registration of the chirp sound. The application was subsequently opposed by Nextel Communications, Inc. ("Nextel"). We understand that Nextel opposed the registration because they claim the chirp sound is not inherently distinctive, nor has it acquired distinctiveness. In partial response to Nextel's concerns, Brinks Hofer Gilson & Lione, (counsel for Motorola) commissioned RL Associates to design and carry out a fair and unbiased test of whether the chirp sound has or has not acquired source indicating distinctiveness (secondary meaning). As we understand it, for sounds (or similar sensory stimuli such as smells) source indicating distinctiveness has two components.

The sound is distinctive in that members of an appropriate public have come to recognize it as indicating (associated with) a particular event.

It is source indicating, in that, when used to indicate a particular event, members of the
appropriate public recognize it as being indicative of a single, albeit possibly
anonymous source.

To test whether the chirp sound has in fact acquired source indicating distinctiveness, we designed and carried out a survey of members of the appropriate public of public safety personnel. This is a report on the results of that study.

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¹ In this case we think it valuable to distinguish between these two components of source indicating distinctiveness, so in this report we will use that term rather than the more common term secondary meaning.

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II - METHODOLOGY

Introduction

Before beginning our discussion of the specific methodology used in this survey, we think it is important to note that the methodology used in any survey research project involves some degree of compromise between conflicting objectives. For instance, on the one hand, there is a desire to completely control the survey process, and on the other hand, a desire to replicate actual market conditions. It is therefore important to keep in mind throughout our discussion of methodology that, of necessity, the procedures used incorporated such compromises.

General Approach

The primary objective in this case is to determine whether a sound has acquired source indicating distinctiveness among those people who routinely use the equipment that make the sound. Thus, it was obviously necessary to design a study in which respondents were able to hear the sound at issue. Theoretically, one could present the sound to respondents either in person or over the telephone. While a telephone approach is lower cost, in order to present the sound in as clear a way as possible we decided to interview respondents in person.

To a substantial degree, the sound at issue is employed in a piece of equipment (two-way radios) whose use is concentrated in a limited segment of the population, primarily, people who work in one aspect or another of public safety. By far the most cost-effective way to reach a random sample of such individuals is at the respondent's workplace. Such interviews are a common way of doing such surveys, and are generally accepted in the field as valid survey methodology.

Universe and Sample

There are two issues related to drawing an appropriate sample:

1. Defining the proper universe from which to draw the sample.

2. Assuring the sample is drawn in such a way as to be representative of this universe.

Universe - In surveys designed for use in Lanham Act litigation it is generally accepted that an appropriate universe consists of people who are likely to be actual or potential

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product at issue. Since the product at issue in this case is a two-way radio used primarily by people in the field of public safety, we defined the appropriate universe for this study as police officers, fire fighters, and emergency medical technicians (EMTs).

Sample Frame - The methodology used in this study was in-person interviews conducted with police officers, fire fighters, and EMTs at their workplace. The interviewing firms we selected to conduct the interviews were geographically distributed throughout the United States.

Sample Selection - The interviewers were instructed to use their local phone book to call police, fire, and EMT stations in their area. Interviews were done either at the workplace of the respondent or in the interviewing firm's offices. They were told to attempt to conduct interviews with 14 different workplaces. At the workplace as long as each interview was conducted in private (i.e. with only the respondent able to hear the interview), interviewers were permitted to conduct up to two interviews per workplace. If respondents were asked to come to the interviewing firm's office, they were to interview no more than two respondents per workplace.

Honoraria – Both because offering respondents a small honoraria increases the response rate (and thus improves the reliability of the survey), and because we believe that there is an emerging understanding that there is an ethical responsibility to pay willing respondents for their time, respondents were offered \$25.00, either as a donation to their local Police Benevolent Board or their station, or as a cash payment to themselves.

² Interviews were conducted in each of the nine census regions except the East South Central region (KY, TN, AL, and MS).

MOT 004679

Study Design

a) Introduction - The Need for "Controls"

As is true in virtually every perception survey, the design of this survey has to take into account potential sources of error. One type of error is artifacts arising from the survey procedure itself. This type of potential source of error is commonly referred to as "noise". The most common, although not the only, source of "noise" is that rather than admit they don't have an answer to a question, at least some respondents will "guess" in their desire to get the "right answer." Because no matter how well designed a survey it is generally impossible to guarantee that such noise has been eradicated, there is a general need to provide a mechanism to estimate the noise. In the great majority of cases, this mechanism(s) is the use of one form or another of controls.

b) The Controls Used

Aside from the chirp, respondents were presented with three other "control" sounds. The controls were chosen in such a way that we believed that the three control sounds would reflect three of the possible alternatives (single source identifying, event but not source identifying, neither event nor source identifying), and so provide a variety of useful estimates of the underlying tendency of respondents to guess (i.e. of the noise).

a) The chime sound played at startup of a computer running the Windows operating system. In designing the survey, we believed that a majority of people would be able to identify this sound, and would think it comes from one company (and in particular Microsoft).

- b) A doorbell In designing the survey, we believed that a majority of people would be able to identify this sound, but would think that it comes from more than one company.
- c) A paper cutter cutting paper In designing the survey, we believed that a majority of people would not be able to identify this sound.

It is clearly desirable for respondents to hear the sounds in a consistent, controlled manner. To accomplish this, a high quality CD or cassette containing the four sounds described above was produced in a recording studio. To limit any possible order bias, the sounds were presented in two sequences - half the respondents heard the sounds in the sequence: (Windows, doorbell, paper cutter, chirp) the other half heard the sequence (doorbell, chirp, paper cutter, Windows)

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Source

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Questionnaire

Once the respondent was alone with the interviewer, they were told:

I am going to have you listen to a few recorded sounds. You will then be asked some questions.

The interviewer then started the CD player. With the exception of probe questions and two demographic questions at the end of the questionnaire, the questions and sounds were recorded on the CD. This was done to ensure that everyone clearly heard the same set of instructions. Interviewers were instructed to follow along with the script, pausing the CD when told to do so, and recording the respondent's answers in the appropriate spaces.

The recording began with the following instructions:

You are going to hear four sounds one after another. You will hear each sound three times. After you have heard all four sounds, you will then hear each sound individually, and I will ask if you can identify the sound.

Each sound was then identified by a number and played three times, and the recording then continued:

. Now you will hear each of the sounds again, After you hear each sound there will be an opportunity for you to tell the interviewer what, if anything, you know about the sound. This is the first sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

The interviewer pressed pause and recorded the respondent's answer in the space provided. The interviewer was instructed to probe once with, "Is there anything else?" If the respondent identified the sound but did not mention the name of a specific company in his or her answer,

the interviewer asked a follow-up question;

You said that sound comes from a ANSWER FROM PREVIOUS QUESTION thinking of one company who makes that][ANSWER] or more than one company who makes (ha) [ANSWER]?

the product The interviewer then resumed the CD and the same procedure was repeated for three other sounds. The interviewer then completed the interview by asking two demographic questions:

Finally, what is your job title? Is your position paid or volunteer? (Not asked of Police) MOT 004681

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At the conclusion of the interview, respondents were asked to complete a brief honorarium form specifying the charity they wanted their \$25 honorarium donated to, or acknowledging that they received \$25. A complete copy of the questionnaire used in this study is included in Appendix A.

Interviewing

Courts have consistently held that surveys conducted for use in litigation require that the interviewing be done by professional interviewers who are shielded from the client sponsoring the work, from the purpose of the study, and even from the fact that the study is being conducted for litigation. That is, the interviewing procedures must be "double blind." For this reason, in this study the interviewers and their supervisors were never told for whom the study was being conducted, nor that it was being conducted for litigation purposes. Furthermore, we believe that in this study the interviewer instructions and, more importantly, the test procedures themselves are transparent, in the sense that an independent observer could not tell who had commissioned the survey.

A total of 180 interviews³ were conducted by 8 interviewing firms. Each firm was instructed to conduct one to two interviews at each of 14 different stations. The name and location of each interviewing firm, and the number of interviews conducted by that firm, appears below:

- 13 Quick Test/Discovery NQN in Natick, MA (Ballot numbers starting "1")
- 27 Northeast Data in West Nyack, NY (2)
- 28 Quick Test/Discovery NQN in Olympia Fields, IL (3)
- 10 Helen Nelson Market Research in Rosemount, MN (4)
- 28 Quick Test/Discovery NQN in Atlanta, GA (5)
- 25 Quick Test in Houston, TX (6)

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Nonsense, Tiduding Them would have been injurious!

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Sixteen interviews conducted in Atlanta, GA by Kimberly Dunn are not included in the results presented in the next chapter of this report. Based on a careful review of her work, we believe that at least some of her interviews were not conducted correctly, if at all. For one thing, the answers in two of her interviews (Ballot numbers 5-113 and 5-114) are exactly the same. In both interviews the four sounds are identified as follows: Computer program – Windows; Doorbell; Door closing – Heavy door scrubbing; Cell phone – Nextel. More important, when a member of the RL Associates professional staff attempted to validate these two interviews, in one case she was told the respondent did not work at that station, and in the other case the number was disconnected. We attempted to validate the remaining 14 of Kimberly's interviews. We were told that there was no such person at 6 of the numbers we tried, and one number was for a fax machine. For these reasons, we decided to exclude all of the work done by Kimberly Dunn. We believe that, if anything, discarding the interviews was conservative from the point of view of Motorola (that is, these interviews would have been slightly beneficial to Motorola). Copies of the/16 interviews conducted by Kimberly Dunn are included in Appendix C.

25 C & C Market Research in Westminster, CO (7) 24 Consumer Pulse in Redondo Beach, CA (8)

All interviews were conducted in August and September 2005 by professional interviewers employed by firms that we consider reliable and trustworthy. Aside from their general training and experience as interviewers,/each interviewer was provided with a copy of written instructions, which specifically instructed them in the proper procedures for this study. A copy of the instructions is included in Appendix B.

Validation

Not independent In order to ensure that the interviewing was carried out as reported, two members of the RL Associates professional staff independently read all of the interviews. This practice allows us to look for patterns in the questionnaires conducted by a particular interviewer (e.g., repetition of an unusual phrase) that indicate that the questionnaires were not completed correctly, or were simply made up by the interviewer.

A second source of validation is the honorarium sheet the respondent was asked to complete at the end of the interview.

In addition, at least 20% of each interviewer's work (other) than Kimberly Dunn's) is currently being formally validated by AVC Research, an independent interviewing service located in Belvidere, New Jersey. The purpose of this formal validation is to determine whether the respondent recalled participating in the interview, not to verify a respondent's answers to any particular question. As of this date, it is our opinion that all interviews were carried out according to our instructions.

MOT 004683

III - DATA AND DISCUSSION

This survey was designed to provide information as to whether or not:

- The sound is distinctive in that members of an appropriate public have come to recognize it as indicating (associated with) a particular event.
- It is source indicating, in that when used to indicate a particular event, members of the appropriate public recognize it as being indicative of a single, albeit possibly anonymous source.

 180—16 (Thirtid rules value)

The results of the 164 interviews are shown in three tables. Table I shows the results relevant to the first issue tested – whether each sound is recognizable as indicating a particular event. The results show figures for the four different sounds each respondent heard:

TABLE I

| Please tell me what it is and what, if | anything, you | u know abo | ut this sound. | |
|--|---------------|------------|-----------------|----------|
| by The ambanais | | Windows | | |
| 17 July 7 | Chirp | Cutter | <u>Doorbell</u> | Start-up |
| Could Radio | (21) | 0 | 0 | 0 |
| Wałkie-talkie | (27) | 0 | 0 | 0 |
| Radio and walkie-talkie | 74) | 0 | 0 | 0 |
| Telephone | 13 | 0 | 0 | 4 |
| Paper Cutter | 0 | 21 | 0 | 0 |
| Doorbell | 0 | 0 | 96 | 0 |
| Computer | 3 | 1 | 0 | 87 |
| Any Other | 25 | 67 | 3 | 7 |
| Don't Know | 7 | 12 | 1 | 2 |

ALL FIGURES ARE PERCENT OF 164 INTERVIEWS

The 28% (3+25) who said either computer or some other product or service in response to the "chirp" sound clearly indicate some guessing was going on with respect to this sound. However, the fact that not one individual mentioned either radio or walkie-talkie with respect to any of the other sounds shows that those respondents who said either radio or walkie-talkie with respect to the "chirp" sound were not guessing. While there was significant mention of "telephone", and some people may have been referring to the walkie-talkie feature of a telephone, this is not clear in the responses. Therefore, to be conservative (from Motorola's point of view), we did not count telephone answers as indicating a radio/walkie-talkie device. We conclude that net of noise 52% (21+27+4) recognize the "chirp" sound as that made by a radio and/or walkie-talkie.

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Each object photal that

Table II shows the results relevant to the second issue tested - whether each sound is identified with a specific source, or if not whether it is identified with one company or more than one company. As in Table I, the results are shown for the four different sounds.

Please tell me what it is and what if anything, you know about this sound. Are you thinking of one company or more than one company?) Dronk Paper Chirp Cutter Doorbell Start-up Motorola only 14 0 0 0 Nextel only 29 0 0 0 Motorola and Nextel 0 0 0 Motorola and/or Nextel total 0 Microsoft/Windows 0 66 Any other specific single source 10 13 11 13 Unknown single source 2 1 3 5 Any specified multiple sources 2 3 Unknown multiple sources 5 13 20 3 Don't know number of sources 19 56 63 10 Don't know what sound is 7 12 1 2

ALL FIGURES ARE PERCENT OF 164 INTERVIEWS

The 22% (10+2+5+5) who either gave a non-Motorola/Nextel source or multiple sources in response to the "chirp" sound clearly indicate some guessing was going on. However, (and this is roughly true for each of the four sounds) the 12% (10+2) who said single source (other than Motorola or Nextel) just about balanced the 10% (5+5) who said multiple sources. Moreover, no respondent said Motorola and/or Nextel for any of the other sounds. We conclude that all of the guessing with regard to the specific source of the "chirp" sound is reflected in the respondents who gave a non-Motorola/Nextel single source - in other words, those respondents who said Motorola and/or Nextel with respect to the "chirp" sound were not guessing. We conclude that

net of noise 52% (14+29+9) associate the "chirp" sound with M_{θ} torola and/or Nextel. Subject to Protective Order in TTAB Opp. No. 91/161,817

NEXTEI. J 000049

The tables on the previous two pages show the proportions of people who met each of the two components of source indicating distinctiveness. Table III shows the proportion of people who gave answers that met both of the two criteria.

TABLE III

Motorola only and radio only
Motorola only walkie-talkie only
Motorola only and radio and/or walkie-talkie
Nextel only and walkie-talkie only
Nextel only and radio only
Nextel only and radio and/or walkie-talkie
Motorola and Nextel – radio and/or walkie-talkie
Motorola and/or Nextel – radio and/or walkie-talkie

42

As discussed on the previous two pages, because respondents were only counted who were not guessing either with respect to the event (i.e. radio and/or walkie-talkie) or with respect to the source (Motorola and/or Nextel) these results are essentially "net of noise". Thus the data shows that approximately 42% of the relevant population recognize the "chirp" sound as that made by a Motorola and/or Nextel radio and/or walkie-talkie.

MOT 004686

IV - PERSONNEL AND REMUNERATION

Michael Rappeport was responsible for all aspects of this survey. Dr. Rappeport's resume, including cases and publications, is attached as Appendix D.

RL Associates is being compensated \$65,400 for this survey. Dr. Rappeport's hourly compensation rate for time spent subsequent to this report is \$500/hour.

Michael Rappeport

MOT 004687

APPENDIX A QUESTIONNAIRE

MOT 004688

| RL ASSOCIATES SOUND STUDY – RG682 SCREEN SHEET | INTERVIEW DATE:START TIME:END TIME: |
|--|---|
| INTRODUCTION: Hello, this is fr survey among various professionals. I want to en we will <u>not</u> ask any questions about your work. | om We're conducting a brief apphasize that we are not selling anything, and |
| Our survey takes less than 10 minutes to complete on a cd, so it must be conducted in person, either a convenient for you. We will donate \$25 to your IF POLICE, SAY: local PBA for your participation IF FIRE/EMT, SAY: station for your participation | t your station, or our office, whichever is most |
| IF THE PERSON IS NOT AVAILABLE NOW, DERESULT IF CANNOT CONTINUE NOW: () Agreed to participate – Date and time of application of the continuation | pointment: |
| INTERVIEWER INDICATE: 1 POLICE 2 | FIRE 3 EMT |
| RESPONDENT NAME: | |
| STATION ADDRESS: | |
| CITY: | STATE: ZIP CODE: |
| STATION PHONE NUMBER: () | _ |

MOT 004689

Desthis mean " Shielded"?

TAKE THE RESPONDENT SOMEWHERE PRIVATE TO BE INTERVIEWED. SEAT THE RESPONDENT. SAY: I am going to have you listen to a few recorded sounds. You will then be asked some questions.

INTERVIEWER: BEGIN THE CD/TAPE PLAYER. DO NOT READ THE FOLLOWING SCRIPT, JUST FOLLOW ALONG WITH IT. WHEN THE VOICE TELLS YOU TO PAUSE THE CD/TAPE, PLEASE DO SO AND RECORD THE RESPONDENT'S ANSWER IN THE SPACE PROVIDED. THE SCRIPT IS IN **BOLD PRINT**.

VOICE: You are going to hear four sounds one after another. You will hear each sound three times. After you have heard all four sounds, you will then hear each sound individually, and I will ask if you can identify the sound.

VOICE: This is Sound Number 1 (Sound x 3)

VOICE: This is Sound Number 2 (Sound x 3)

VOICE: This is Sound Number 3 (Sound x 3)

VOICE: This is Sound Number 4 (Sound x 3)

Rotated ?

VOICE: Now you will hear each of the sounds again. After you hear each sound there will be an opportunity for you to tell the interviewer what, if anything, you know about the sound.

VOICE: This is the first sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #1

YOICE: Please press pause now

Mudyer pravalet it + N: 16/0 1106.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #1 HERE. PROBE ONCE WITH: Is there anything else?

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

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-2-

VOICE: This is the second sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #2

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #2 HERE, PROBE ONCE WITH; Is there anything else?

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:

You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

MOT 004691

VOICE: This is the third sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #3

VOICE: Please press pause now.

INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESPONDENT SAYS ABOUT SOUND #3 HERE. PROBE ONCE WITH: Is there anything clsc?

IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MENTION A SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK:
You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that [ANSWER]?

INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE

MOT 004692

VOICE: This is the fourth sound. If you happen to know what this sound is, please tell me what it is and what, if anything, you know about it. Please be as specific as possible. If you don't happen to know what the sound is, it is okay to say so.

SOUND #4

| VOICE: Please press pause now. | |
|--|-----------|
| INTERVIEWER: PRESS PAUSE AND RECORD VERBATIM WHAT THE RESISAYS ABOUT SOUND #4 HERE. PROBE ONCE WITH: Is there anything else? | ONDENT |
| IF THE RESPONDENT IDENTIFIES THE SOUND, BUT DOES <u>NOT</u> MED SPECIFIC COMPANY IN HIS OR HER ANSWER, ASK: You said that sound comes from a [ANSWER FROM ABOVE]. Are you thinking company who makes that [ANSWER] or more than one company who makes that [ANSWER]. | |
| INTERVIEWER: PRESS PAUSE TO RESUME CD/TAPE | · |
| Finally, what is your job title? | |
| IF FIRE/EMT, ASK: Is your position I paid or 2 volunteer? | |
| (INTERVIEWER PRINT FULL NAME) | |
| verify that I conducted this interview on (date)/ at (time): | |
| NTERVIEWER SIGNATURE: | MOT 00469 |

APPENDIX B MEMO TO SUPERVISORS AND INTERVIEWER INSTRUCTIONS

MOT 004694



RL Associates

601 EWING STREET SUITE A-11 PRINCETON, NEW JERSEY 08540 (609) 683-9200 (609) 683-0855 FAX

SOUND STUDY - RG682 MEMO TO SUPERVISORS

PLEASE CALL ME AFTER YOU HAVE CAREFULLY REVIEWED THESE INSTRUCTIONS. I WOULD LIKE TO TALK TO YOU BEFORE YOU START THIS JOB.

The respondents for this study are police officers, fire fighters, and emergency medical technicians (EMTs). You are going to have to pre-recruit the respondents, using your local phone book. This is an in-person interview. It can be conducted either at the respondent's station, or at your interviewing facility, whatever is most convenient for you and the respondent. We would like you to conduct at least one interview at 14 different stations (or – if you are conducting the interviews at your facility – with people from 14 different stations). You may conduct up to 2 interviews per station, so, you should end up conducting between 14 and 28 interviews in all.

We are offering to make a \$25 donation to the police officer's Police Benevolent Association (PBA) or the fire fighter's/EMT's station for their participation in this study.

The study involves playing a CD (or cassette) that has four sounds on it, and finding out what, if anything, the respondent knows about those sounds. Most of the instructions to the respondent have been recorded on the CD, so the interviewer just has to-follow along with what is written on the questionnaire. During the interview, the interviewer's primary responsibilities include:

- Starting and stopping the CD/tape at the appropriate time
- Writing down the respondent's answers
- Asking the probe question, Is there anything else?
- · Asking a follow-up question that is specified on the questionnaire
- Asking two questions at the end of the survey
- · Having the respondent fill out the honorarium sheet

If possible, we ask that a MINIMUM OF TWO interviewers work on this project.

Each interviewer is to have his or her own set of interviewer instructions.

* Before conducting any interviews, ALL interviewers working on this study must read and sign a copy of the interviewer instructions. The signed interviewer instructions must be returned to RL Associates at the end of the study. Work will not be accepted from interviewers who did not sign the interviewer instructions prior to conducting interviews.

We ask that you carefully review the questionnaire and the interviewer instructions with the interviewers before they start interviewing. It is essential that all interviews be conducted completely and correctly.

MOT 004695

MEMO TO SUPERVISORS - PAGE 2

The Screen Sheet can be filled out in pencil, but the rest of the questionnaire should be completed in <u>black or blue PEN</u>. We do not want the interviewer to crase or "white out" ANYTHING that he or she writes. If the respondent changes his or her mind, the change should be recorded verbatim. If the interviewer makes a mistake, he or she should cross out the mistake, and put their initials by the change.

Please be sure the interviewer fills in ALL of the information that is asked for at the end of the questionnaire. We are going to look at this information to verify that the interviews were done correctly. Interviewers are to print their full name, enter the date and time the interview was conducted, and sign the bottom of the interview.

Do not edit the questionnaires. We want to see the questionnaires exactly as the interviewer records them and submits them to you. This is why it is crucial that the interviewer carefully follow the instructions.

We WILL NOT PAY for work that is incomplete, incorrectly completed, or unreadable. If you or the interviewers have ANY questions about this study, please call me!

Please ship the completed study back to our office as soon as it is complete.

- We would like you to fax us the first two interviews you do as soon as they are completed.
- We would like you to send us all of your completed interviews on Friday, September 9 so
 that we receive them on Monday, September 12. If you are not going to be able to meet this
 deadline, please let us know.

As soon as you have finished the study, please return all of the materials, including:

Completed questionnaires
Signed interviewer instructions
Signed honoraria sheets
CD and cassette

You can ship the study back to us in one of two ways:

- a) UPS NEXT DAY AIR Our UPS shipping number is
- b) FEDERAL EXPRESS P1 Our Federal Express account number is

If you have any questions or concerns, please call me. Thank you very much.

MOT 004696

RL Associates

601 EWING STREET SUITE A-11 PRINCETON, NEW JERSEY 08540 (609) 683-9200 (609) 683-0855 FAX

SOUND STUDY - RG682 INTERVIEWER INSTRUCTIONS

PLEASE TAKE THE TIME TO CAREFULLY REVIEW THESE INSTRUCTIONS

* Before conducting any interviews, you must read AND SIGN a copy of the interviewer instructions (see the bottom of Page 2 of these instructions). It is essential that the interviews be conducted COMPLETELY and CORRECTLY. If you have any questions, please ask your supervisor.

The Respondents

The respondents for this study are police officers, fire fighters, and emergency medical technicians (EMTs) that have been pre-recruited to participate in this study.

The Questionnaire

This study involves playing a CD (or cassette) that has four sounds on it, and finding out what, if anything, the respondent knows about those sounds. Most of the instructions to the respondent have been recorded on the CD, so you just have to follow along with what is written on the questionnaire. During the interview, your primary responsibilities include:

· Starting and stopping the CD/tape at the appropriate time

Writing down the respondent's answers

· Asking the probe question, Is there anything else?

- Asking a follow-up question that is specified on the questionnaire (see note below)
- · Asking two questions at the end of the survey
- · Having the respondent fill out the honorarium sheet

* The Follow-Up Question

After the respondents hear each sound, they are asked what it is and what, if anything, they know about it. If the respondent identifies the sound, but does not mention the name of a specific company in their answer, be sure to ask the follow-up question:

You said that sound comes from a [ANSWER GIVEN]. Are you thinking of one company who makes that [ANSWER] or more than one company who makes that

[ANSWER]?

For instance, if the respondent says the sound is a boiling tea kettle, the follow up question should be:

You said that sound comes from boiling tea kettle. Are you thinking of one company who makes that tea kettle or more than one company who makes that tea kettle?

IT IS IMPORTANT TO NOTE THAT THERE ARE NO "RIGHT" ANSWERS. WHAT WE ARE INTERESTED IN IS WHAT THE RESPONDENT THINKS. TO US, WHATEVER THE RESPONDENT SAYS IS "RIGHT."

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Fourier on leville

INTERVIEWER INSTRUCTIONS - PAGE 2

The Screen Sheet can be filled out in pencil, but the rest of the questionnaire should be completed in <u>black or blue PEN</u>. We do not want you to erase or "white out" ANYTHING that you write. If the respondent changes his or her mind, record the change verbatim. If you make a mistake, cross out the mistake, and put your initials by the change.

Please be sure to carefully fill in ALL of the information that is asked for at the end of the questionnaire. We are going to look at this information to verify that the interviews were done correctly. You must print your full name, enter the date and time the interview was conducted, and sign your full name.

| If you have <u>ANY</u> questions about any aspect of this study, please ask your supervisor! | | | | | | | |
|--|---|--------|------|--|--|--|--|
| | ı | | | | | | |
| | * | * | * | SIGN AND RETURN AT THE END OF THE STUDY * * * | | | |
| I | | | | have read the above interviewer instructions on (date) | | | |
| at | | _ (tir | ne). | INTERVIEWER SIGNATURE: | | | |

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APPENDIX C

INTERVIEWS CONDUCTED BY KIMBERLY DUNN

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